



CAMPBELLTOWN
CITY COUNCIL

ORDINARY BUSINESS PAPER

14 APRIL 2020

COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BASIX	Building Sustainability Index Scheme
BCA	Building Code of Australia
BIC	Building Information Certificate
BPB	Buildings Professionals Board
CLEP 2002	Campbelltown Local Environmental Plan 2002
CLEP 2015	Campbelltown Local Environmental Plan 2015
CBD	Central Business District
CPTED	Crime Prevention Through Environmental Design
CSG	Coal Seam Gas
DA	Development Application
DCP	Development Control Plan
DDA	<i>Disability Discrimination Act 1992</i>
DPE	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
FFTF	Fit for the Future
FSR	Floor Space Ratio
GRCCC	Georges River Combined Councils Committee
GSC	Greater Sydney Commission
HIS	Heritage Impact Statement
IDO	Interim Development Order
IPR	Integrated Planning and Reporting
KPoM	Koala Plan of Management
LEC	Land and Environment Court
LEC Act	<i>Land and Environment Court Act 1979</i>
LEP	Local Environmental Plan
LGA	Local Government Area
LG Act	<i>Local Government Act 1993</i>
LPP	Local Planning Panel
LTFP	Long Term Financial Plan
NGAA	National Growth Areas Alliance
NOPO	Notice of Proposed Order
NSWH	NSW Housing
OEH	Office of Environment and Heritage
OLG	Office of Local Government, Department of Premier and Cabinet
OSD	On-Site Detention
OWMS	Onsite Wastewater Management System
PCA	Principal Certifying Authority
PoM	Plan of Management
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PMF	Probable Maximum Flood
PN	Penalty Notice
PP	Planning Proposal
PPR	Planning Proposal Request
REF	Review of Environmental Factors
REP	Regional Environment Plan
RFS	NSW Rural Fire Service
RL	Reduced Levels
RMS	Roads and Maritime Services
SANSW	Subsidence Advisory NSW
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SREP	Sydney Regional Environmental Plan
SSD	State Significant Development
STP	Sewerage Treatment Plant
SWCPP	Sydney Western City Planning Panel (District Planning Panel)
TCP	Traffic Control Plan
TMP	Traffic Management Plan
TNSW	Transport for NSW
VMP	Vegetation Management Plan
VPA	Voluntary Planning Agreement
PLANNING CERTIFICATE	– A Certificate setting out the Planning Rules that apply to a property (formerly Section 149 Certificate)
SECTION 603 CERTIFICATE	- Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	- Certificate from Sydney Water regarding Subdivision



07 April 2020

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 14 April 2020 at 6.30pm.

Lindy Deitz
General Manager

Agenda Summary

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1. ACKNOWLEDGEMENT OF LAND

I acknowledge the Dharawal people whose ongoing connection and traditions have nurtured and continue to nurture this land.

I pay my respects and acknowledge the wisdom of the Elders – past, present and emerging and acknowledge all Aboriginal people here tonight.

2. APOLOGIES/LEAVE OF ABSENCE

Nil at time of print.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 10 March 2020

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held 10 March 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

Report

That the Minutes of the Ordinary Meeting of Council held 10 March 2020 are presented to Council for confirmation.

Attachments

1. Minutes of the Ordinary Meeting of Council held 10 March 2020 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 10 March 2020.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 10 March 2020

Present The Mayor, Councillor G Brticevic
 Councillor M Chivers
 Councillor M Chowdhury
 Councillor B Gilholme
 Councillor G Greiss
 Councillor K Hunt
 Councillor D Lound
 Councillor R Manoto
 Councillor B Moroney
 Councillor W Morrison
 Councillor M Oates
 Councillor T Rowell
 Councillor B Thompson

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by the Chairperson Councillor Brticevic.

Council Prayer

The Council Prayer was presented by the General Manager.

2. APOLOGIES/LEAVE OF ABSENCE

2.1 Request for Leave of Absence - Councillor Lake

It was **Moved** Councillor Greiss, **Seconded** Councillor Lound:

That Councillor Paul Lake be granted a leave of absence from the Council meeting on Tuesday 10 March 2020.

022 The Motion on being Put was **CARRIED**.

Note: Councillor R George has been granted a leave of absence from Council incorporating all meetings until further notice.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 11 February 2020

It was **Moved** Councillor Hunt, **Seconded** Councillor Gilholme:

That the Minutes of the Ordinary Council Meeting held 11 February 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

023 The Motion on being Put was **CARRIED**.

3.2 Minutes of the Extraordinary Meeting of Council held 18 February 2020

It was **Moved** Councillor Gilholme, **Seconded** Councillor Thompson:

That the Minutes of the Extraordinary Council Meeting held 18 February 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

024 The Motion on being Put was **CARRIED**.

4. DECLARATIONS OF INTEREST

Declarations of Interest were made in respect of the following items:

Pecuniary Interests

Councillor Chivers – Item 8.2 – Menangle Park - Draft Planning Proposal. Councillor Chivers advised she has a pecuniary interest and that she will leave the chamber.

Councillor Chowdhury – Item 14.3 – Lease of Council Land. Councillor Chowdhury advised he has a pecuniary interest and that he will leave the chamber.

Non Pecuniary – Significant Interests

Councillor Lound – Item 8.2 – Menangle Park - Draft Planning Proposal. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

Councillor Greiss – Item 8.2 – Menangle Park - Draft Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

Councillor Lound – Item 8.6 – Mt Gilead - Draft Planning Proposal. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

Councillor Greiss – Item 8.6 – Mt Gilead - Draft Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

Non Pecuniary – Less than Significant Interests

Nil

Other Disclosures

Nil

5. MAYORAL MINUTE

5.1 Community Service Award's - Wayne Benson, Pauline James and Tanya Whitehouse

It was **Moved** Councillor Brticevic, **Seconded** Councillor Hunt:

That Wayne Benson, Pauline James and Tanya Whitehouse be presented with Community Service Award's in recognition of their contributions to the Campbelltown community.

025 The Motion on being Put was **CARRIED**.

Meeting note: The Mayor, Councillor Brticevic presented a community service award to Tanya Whitehouse.

6. PETITIONS

7. CORRESPONDENCE

7.1 Development Applications

It was **Moved** Councillor Lound, **Seconded** Councillor Morrison:

That the letters be received and the information be noted.

026 The Motion on being Put was **CARRIED**.

7.2 Local Government Election Costs

It was **Moved** Councillor Oates, **Seconded** Councillor Lound:

That the letter be received and the information be noted.

027 The Motion on being Put was **CARRIED**.

8. REPORTS FROM OFFICERS

8.1 Development Application Status

It was **Moved** Councillor Thompson, **Seconded** Councillor Chowdhury:

That the information be noted.

028 The Motion on being Put was **CARRIED**.

Meeting note: Having declared an interest in Item 8.2 Councillor Chivers, Councillor Greiss and Councillor Lound left the Chamber at 6:49pm and did not take part in the discussion or vote on the matter.

8.2 Menangle Park - Draft Planning Proposal

It was **Moved** Councillor Morrison, **Seconded** Councillor Rowell:

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land within the Menangle Park Urban Release Area, to the Department of Planning Industry and Environment seeking endorsement for a Gateway Determination.
2. That Council note that the proponent has committed to enter into a Voluntary Planning Agreement with Council for the provision of infrastructure and monetary contributions relating to the Menangle Park Urban Release Area which will be the subject of a future report.
3. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979* that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
4. That following the public exhibition a report on any submissions received be presented to Council.
5. That Council exercise via the General Manager the 'approval' functions of the Minister under Section 3.31 (3)(b) of the EP&A Act, to 'make' the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Councillor B Moroney.

029 The Motion on being Put was **CARRIED**.

Meeting note: At the conclusion of the discussion regarding Item 8.2 Councillor Chivers, Councillor Greiss and Councillor Lound returned to the Chamber at 6.51pm.

8.3 Amendment to Campbelltown (Sustainable City) Development Control Plan - Seniors Living Developments

It was **Moved** Councillor Hunt, **Seconded** Councillor Manoto:

1. That Council endorse the public exhibition of the draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015.
2. That following completion of the public exhibition period, where submissions have been received, a further report be provided to Council to consider the submissions prior to the making of the draft amendment.
3. That where no submissions are received during the exhibition period, the draft Plan be adopted and commenced upon public notification being completed in accordance with the Environmental Planning and Assessment Regulations, 2000.

A Division was recorded in regard to the Resolution for Item 8.3 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney, W Morrison, B Thompson, G Greiss and T Rowell.

Voting against the Resolution were Nil.

030 The Motion on being Put was **CARRIED**.

8.4 Outcome of the 2020 Free Recyclables Drop Off Day

It was **Moved** Councillor Gilholme, **Seconded** Councillor Lound:

1. That the results of the August 2019 and January 2020 Free Recyclables Drop Off Day trial events be noted.
 2. That the Christmas time Free Recyclables Drop Off Day be moved to a date in February on an ongoing basis, starting from 2021.
 3. That an additional Free Recyclables Drop Off Day be held annually in August, commencing 2020.
 4. That both events operate from 8am to midday.
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5. That the dates for the Free Recyclables Drop Off Days be promoted to ensure a smooth transition to the revised arrangements.

031 The Motion on being Put was **CARRIED**.

8.5 Application to Revoke Dangerous Dog Declarations

It was **Moved** Councillor Rowell, **Seconded** Councillor Chivers:

1. That the Dangerous Dog Declarations made on 10 May 2016, in respect of a female Staffordshire Terrier/Boxer cross and male Boxer be revoked in accordance with provision Section 39 (2)(a) *Companion Animals Act, 1998*.
2. That Council give notice to the owner of the dog and to the Director General Division of Local Government of the revocation of the Dangerous Dog Declarations referred to in 1 above within seven days in accordance with the provisions of Sections 39 (3) and 40 (2) *Companion Animals Act, 1998*.

032 The Motion on being Put was **CARRIED**.

Meeting note: Having declared an interest in Item 8.6 Councillor Greiss and Councillor Lound left the Chamber at 6:55pm and did not take part in the discussion or vote on the matter.

8.6 Mt Gilead - Draft Planning Proposal

It was **Moved** Councillor Oates, **Seconded** Councillor Thompson:

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land within the Mt Gilead Urban Release Area, to the Department of Planning Industry and Environment seeking endorsement for a Gateway Determination.
 2. That Council note that the proponent has committed to amend the existing Voluntary Planning Agreement with Council for the provision of all local infrastructure required to support the incoming population which will be the subject of a future report.
 3. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
 4. That following the public exhibition a report on any submissions received be presented to Council.
 5. That Council exercise via the General Manager the 'approval' functions of the Minister
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under Section 3.31 (3)(b) of the EP&A Act, to make the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

A Division was recorded in regard to the Resolution for Item 8.6 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Councillor B Moroney.

033 The Motion on being Put was **CARRIED**.

Meeting note: At the conclusion of the discussion regarding Item 8.6 Councillor Greiss and Councillor Lound returned to the Chamber at 6.56pm.

8.7 Investments and Revenue Report - January 2020

It was **Moved** Councillor Hunt, **Seconded** Councillor Chowdhury:

That the information be noted.

034 The Motion on being Put was **CARRIED**.

8.8 Reports and Letters Requested

It was **Moved** Councillor Thompson, **Seconded** Councillor Lound:

That the information be noted.

035 The Motion on being Put was **CARRIED**.

8.9 Sundry Debtor Write-offs March 2020

It was **Moved** Councillor Oates, **Seconded** Councillor Thompson:

That the sundry debtors as listed in the attachment totalling \$43,668.28 be written off as uneconomical to recover.

036 The Motion on being Put was **CARRIED**.

8.10 Delivery Program - Six Monthly Progress Report

It was **Moved** Councillor Hunt, **Seconded** Councillor Gilholme:

That Council receive and note the Six-monthly Progress Report for the period of July 2019 to December 2019.

037 The Motion on being Put was **CARRIED**.

8.11 Revised Campbelltown City Council Collection Policy

It was **Moved** Councillor Lound, **Seconded** Councillor Oates:

1. That the revised Campbelltown City Council Collection Policy as attached to this report be adopted.
2. That the name of the policy be amended to Campbelltown City Council Art Collection Policy.
3. That the Campbelltown City Council Art Collection Policy review date be set at 30 December 2022.

038 The Motion on being Put was **CARRIED**.

8.12 Latest Findings on Climate Change

It was **Moved** Councillor Moroney, **Seconded** Councillor Brticevic:

1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.
 2. That Council acknowledges the findings of both the Intergovernmental Panel on Climate Change and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services.
 3. That Council strengthens its commitment to the reduction of emissions as a consequence of its activities, increase the speed and priority of its adopted mitigation and adaptation measures, and continues its innovative and strong leadership in reducing its impact on the climate by:
 - setting a renewable energy target with an ambition to transition to 100 percent renewable energy
 - implementing energy efficiency programs across council and community facilities
 - requiring council suppliers to demonstrate sustainable practices including the use of renewable energy and resource recovery
 - embedding climate emergency and resilience into corporate strategic planning
 - embedding climate emergency and resilience into urban planning
-

- supporting the use of electric vehicles and encouraging networks to promote public transport
- minimising waste and striving for a circular economy
- increasing tree canopy and revegetation activities
- empowering the community through education, awareness and partnerships
- increasing the community's resilience to climate change impacts.

A Division was recorded in regard to the Resolution for Item 8.12 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney and W Morrison.

Voting against the Resolution were Councillors B Thompson, G Greiss and T Rowell.

039 The Motion on being Put was **CARRIED**.

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

11.1 Flag Raising Day

It was **Moved** Councillor Morrison, **Seconded** Councillor Lound:

That a report be presented on the feasibility of a flag raising day for the combined Pacific Community.

040 The Motion on being Put was **CARRIED**.

12. URGENT GENERAL BUSINESS

Nil

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates on 27 February attended the Greg Percival Community Centre for the Healthy Living and Sustainable Gardening workshop. The workshop was part of a series showing attendees how to cook with leftovers and grow their own food in vegetable gardens, with the libraries showcasing books on the subject matters. Councillor Oates noted the range of attendees from families, seniors and young singles which was great to see. Councillor Oates congratulated the staff on the event.
2. Councillor Meg Oates attended Campbelltown Arts Centre to view the Biennale of Sydney exhibition. Councillor Oates noted the variety of works across different mediums with the works concentrating on indigenous people and a first nations perspective. Councillor Oates advised the Chamber that the official opening is on Thursday, 12 March and encouraged all to attend as the artworks are uplifting, heart breaking and vibrant.
3. Councillor Masood Chowdhury wished all the LGA a Happy Holi. Holi is an ancient Indian festival popularly known as the festival of colours, the festival signifies the victory of good over evil and signifies the arrival of spring and the beginning of a good spring harvest.
4. Councillor Masood Chowdhury passed on his thanks to the Macarthur Region Nepalese Community for their fundraising efforts as they donated \$3,200 to the Wollondilly Shire Council Mayor's Relief fund, with the funds being used for those affected by the recent bushfires in our region.
5. Councillor Masood Chowdhury on 16 February attended a Bangladeshi community gathering. The Bangladeshi community presented The Mayor, Councillor Brticevic and the Wollondilly Mayor, Councillor Deeth with \$15,000 for the Wollondilly Shire Council Mayor's Relief fund, to provide assistance to those in the region affected by the recent bushfires. Councillor Chowdhury thanked the Bangladeshi community for their support.
6. Councillor Masood Chowdhury on 21 February with The Mayor, Councillor Brticevic Councillor Chivers, Councillor Manoto and Councillor Oates celebrated International Mother Language Day. The day consisted of a flag raising ceremony, cultural dance performances and songs. Councillor Chowdhury passed on his thanks to all staff and the Director of City Lifestyles for the work in the community.
7. Councillor Masood Chowdhury attended the Campbelltown Bangla School. The school is a weekend language school which teaches Bangla to the local children. Councillor Chowdhury expressed how wonderful it is that local residents have opportunities to learn other languages.
8. Councillor Karen Hunt on 22 February attended Campbelltown City's inaugural Seniors Ball at the Greg Percival Community Hall, Ingleburn, in company with Councillor Manoto, Destry Puia from City Lifestyles, and his wife, Poppy, and Abeny Mayol from the Community Life team. Ticket sales had to be curtailed at 130 in order to ensure there was enough dancing room for everyone. It was amazing to see so many people dancing the night away and showing off their talent. The dancing style on the night is known as Sequence Dancing, which is performed in lines, squares or circles.

Unlike ballroom dancing, which enables only a few couples on the dance floor at the same time because they need a lot of space to twirl around the floor, Sequence Dancing enables many couples to take to the floor to participate in an enormous variety of

waltzes, foxtrots, quicksteps and tangos. It was an absolute joy to watch everyone go through their paces with so much ease and joy. The whole evening was filled with such excitement and anticipation for future years, as many couples travel all over the place to take part in these dance nights. To say it was a success would be an understatement.

Discussion on the night turned to finding a larger venue because Campbelltown is now on the dancing calendar.

Councillor Hunt thanked Barry Nudd and his team from Dance Club for organising the event in conjunction with Council's team and gave a huge thank you to all the dancers for such a wonderful event.

9. Councillor Darcy Lound on 7 March attended the Miracle Mile at Menangle Park. Councillor Lound noted the high spirits of the crowd and advised the Chamber that the King of Swing won the race. Councillor Lound thanked the Chairman, Robert Marshall, the Board and the Chief Executive, Bruce Christison for their continued investment in the region.
10. Councillor Rey Manoto on 23 February attended the National Servicemen's Memorial Day at Ingleburn Military Precinct, Ingleburn. The solemn occasion remembered and honoured the National Servicemen who died and were wounded in the battlefields overseas. We will always remember them. Lest we forget.
11. Councillor Rey Manoto on 5 March attended the 2020 Diocesan Education Mass at St John Vianney Co-Cathedral in Fairy Meadow. The mass was officiated by Most Reverend Bishop Brian Mascord and celebrates Catholic Schools Week. Mr Peter Hill, the new Director of Schools at the Catholic Education Office of Wollongong received his Rite of Commission which was followed by the presentation and commissioning of new principals and teachers.
12. Councillor Rey Manoto on 6 March with Councillor Lound attended the 2020 Macarthur Football Club Association's Ottimo House M League Season. The season launch was attended by the Chairman of Macarthur Football Association, Councillor Lound, Greg Warren MP and Anoulack Chanthivong MP. The Chairman of the new A-League club, Macarthur Bulls, Gino Marra and the Assistant Coach, Mile Sterjovski were guest speakers. Campbelltown Council was thanked for the investment and support given to football in the region.
13. Councillor Margaret Chivers on 3 March attended Train Like A Tiger initiative run by West Tigers at Campbelltown Athletics Stadium. The program, run over five weeks, was offered to children living with a disability. The last week of the program was a chance to practice what skills had been learnt. Councillor Chivers thanked John Skandalis for his support.
14. Councillor Margaret Chivers on 7 March attended Ingleburn Alive. Councillor Chivers thanked all the staff for their assistance at the event, in particular passing her thanks onto Jason Dawson. Jason was helping at the event, controlling the car park and Councillor Chivers noted his professionalism, courteous interactions with members of the public and his positive outlook in helping at Ingleburn Alive.

15. Councillor Ben Moroney is proud of the advocacy with the LGBTQIA community and embraced the campaign for marriage equality. Councillor Moroney revealed to the Chamber that they are non-binary, not identifying as male or female. Councillor Moroney thanked everyone for being extremely supportive and respectful and hopes that the announcement provides some visibility for others.
16. Councillor Warren Morrison on 7 March attended Ingleburn Alive which was a great afternoon that went into the evening. Councillor Morrison noted all attendees were happy and enjoying the event. Councillor Morrison passed on his thanks to the City Lifestyles team for organising.
17. Councillor Bob Thompson thanked Councillor Moroney for sharing with the Chamber and offered his support to all of the community in the LGA.
18. Councillor George Greiss raised the issue of the Coronavirus. Councillor Greiss noted how important it is to ensure that Council considers and has a plan to ensure the safety of staff and to protect the community. The General Manager thanked Councillor Greiss for raising this concern and advised Council that there is appropriate planning in place to deal with the coronavirus issue and a specialist team is meeting frequently to manage the situation as it develops. The Director of City Delivery is working with appropriate authorities on preparations for the city. Council will be informed as progress is made.
19. The Mayor, Councillor Brticevic on 7 March with Councillor Chivers, Councillor Gilholme Councillor Morrison and Councillor Oates, attended Ingleburn Alive. Councillor Brticevic noted the new time of 3-9pm making the event very comfortable for all in attendance and noting that there was a great community spirit. Councillor Brticevic thanked the City Lifestyles team.
20. The Mayor, Councillor Brticevic on 4 March with Councillor Chivers, Councillor Chowdhury, Councillor Manoto and Councillor Oates celebrated the 2019 HSC high achievers. Councillor Brticevic congratulated all the students and noted the high calibre of students in the LGA who achieved a band 6 in multiple subjects.
21. The Mayor, Councillor Brticevic on 4 March attended Mount Gilead Retirement Village to present certificates to the residents. Councillor Brticevic thanked the village for their efforts in raising \$2000 for the Wollondilly Fire Service. Councillor Brticevic passed on his thanks to Errol Casey for inviting him.
22. The Mayor, Councillor Brticevic thanked Councillor Moroney for having the courage to share this with the Chamber.

14. CONFIDENTIAL REPORTS FROM OFFICERS

Confidentiality Recommendation

It was **Moved** Councillor Oates, **Seconded** Councillor Chivers:

1. That this Ordinary Meeting of Council be adjourned and reconvened as a meeting of the Confidential Committee for discussion of items 14.1, 14.2, 14.3, 14.4, 14.5 and 14.6 which are considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

Item 14.1 Campbelltown Sports Stadium Procurement Opportunity

Item 14.1 is confidential in accordance with Section 10A(2)(d)(ii) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a competitor of the council.

Item 14.2 Lease of a Council Property

Item 14.2 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Item 14.3 Lease of Council Land

Item 14.3 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Item 14.4 Licence Agreement over Council Land, Kentlyn

Item 14.4 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Item 14.5 General Manager's Contract Renewal and Performance Review

Item 14.5 is confidential in accordance with Section 10A(2)(a) of the *Local Government Act 1993* as the report refers to personnel matters concerning particular individuals (other than Councillors).

Item 14.6 Land Transfer Agreement

Item 14.6 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

2. Council considers that discussion of the business in open meeting would be, on balance, contrary to the public interest.

041 The Motion on being Put was **CARRIED**.

The Ordinary Meeting of Council was adjourned at 7.40pm and reconvened as a meeting of the Confidential Committee at 7.41pm.

Recommendations of the Confidential Committee

14.1 Campbelltown Sports Stadium Procurement Opportunity

It was **Moved** Councillor Hunt, **Seconded** Councillor Chowdhury:

1. That Council approve an exemption from the tendering requirements in accordance with section 55(3)(i) of the *Local Government Act 1993*, noting that, because of the unavailability of competitive or reliable tenders, a satisfactory result would not be achieved by inviting tenders for the procurement opportunity detailed in the report.
2. That Council notes the reasons why a satisfactory result would not be achieved by inviting tenders are:
 - a) The recommended contractor offer represents value of money as compared with indicative quotations
 - b) The contractor is the unique provider of this service
3. That Council approve the allocation of funds as detailed in the report.

042 The Motion on being Put was **CARRIED**.

14.2 Lease of a Council Property

It was **Moved** Councillor Gilholme, **Seconded** Councillor Thompson:

That Council grant a resolution for the lease of Council property located at Harold Street, Macquarie Fields on terms set out in this Council report

1. That Council approves the early termination of the existing lease on the premises due to expire 30 June 2026. The nominated date of termination to be 30 June 2020 and will align with the commencement of the proposed new lease term.
2. That Council agrees to a new lease of 26 years commencing 1 July 2020 based on terms set out in this Council report.
3. That the lease is signed under Common Seal of Council (if required).

043 The Motion on being Put was **CARRIED**.

Meeting note: Having declared an interest in Item 14.3 Councillor Chowdhury left the Chamber at 7:46pm and did not take part in the discussion or vote on the matter.

14.3 Lease of Council Land

It was **Moved** Councillor Lound, **Seconded** Councillor Thompson:

That Council deals with the subject land described in this report, on the terms and conditions outlined below:

1. That Council approves the proposed terms of lease of the subject land to the nominated entity.

044 The Motion on being Put was **CARRIED**.

Meeting note: At the conclusion of the discussion regarding Item 14.3 Councillor Chowdhury returned to the Chamber at 7.47pm.

14.4 Licence Agreement over Council Land, Kentlyn

It was **Moved** Councillor Oates, **Seconded** Councillor Thompson:

1. That Council approve an Agistment Agreement over Council land, Kentlyn as outlined in the report.
2. That all documentation associated with the Agistment Agreement be executed under the Common Seal of Council, if required.

045 The Motion on being Put was **CARRIED**.

14.5 General Manager's Contract Renewal and Performance Review

It was **Moved** Councillor Brticevic, **Seconded** Councillor Morrison:

That Council:

1. Note the report from the General Managers Performance Review panel of the General Manager's Performance in 2019 and rating as Highly Advanced.
 2. Approve the renewal of the contract of employment of the General Manager, Ms Lindy Deitz:
 - a. Under the current terms and conditions of the General Manager's Contract of Employment which is based on the Office of Local Government's Standard Contract for General Managers.
 - b. The term of the contract is five years commencing on 1 October 2020 and expiring
-

on 30 September 2025.

- c. The total remuneration package of \$395,993 per annum reviewed annually in accordance with the Statutory and Other Officers Remuneration Tribunal determination.

3. Delegate authority to the Mayor to sign the new contract.

A Division was recorded in regard to the Resolution for Item 14.5 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney, W Morrison, B Thompson, G Greiss and T Rowell.

Voting against the Resolution were Nil.

046 The Motion on being Put was **CARRIED**.

14.6 Land Transfer Agreement

It was **Moved** Councillor Chowdhury, **Seconded** Councillor Hunt:

1. That Council agrees to accept a Land Transfer from the entity 1 as set out within this report.
2. That Council agree to enter into a Lease with the entity 2 outlined within this report.
3. That all documentation associated with the Land Transfer and Lease be executed under common seal of Council, if required.
4. That Council classify the site as Operational Land.

047 The Motion on being Put was **CARRIED**.

It was **Moved** Councillor Oates, **Seconded** Councillor Chivers:

That the Council in accordance with Section 10 of the Local Government Act 1993, move to re-open the meeting to the public.

048 The Motion on being Put was **CARRIED**.

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.20pm and the Mayor read the resolution for Item 14.1, 14.2, 14.3, 14.4, 14.5 and 14.6 to the open meeting.

It was **Moved** Councillor Oates, **Seconded** Councillor Chivers:

That the reports of the Confidential Committee and the recommendations contained therein be adopted.

049 The Motion on being Put was **CARRIED**.

There being no further business the meeting closed at 8.23pm.

Confirmed by Council on

..... General Manager Chairperson

4. DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

5. MAYORAL MINUTE

6. PETITIONS

7. CORRESPONDENCE

7.1 Result of Pre-Gateway Review - 71 St Andrews Road, Varroville

Officer's Recommendation

That the letter be received and the information be noted.

Letter to the Department of Planning, Industry and Environment reconfirming Council's resolution to not support the draft planning proposal submission to Gateway determination.

Attachments

1. Copy of letter to the Department of Planning Industry and Environment (contained within this report)



25 February 2020

A/Director
Department of Planning, Industry and Environment
Sydney Region West
GPO Box 39
SYDNEY NSW 2001

Attention: Eleanor Robertson

Dear Ms Robertson,

RE: Request for Rezoning Review – 2019CWI041 – RR_2019_CAMPb_002_00

I refer to written advice from the Sydney Western City Planning Panel dated 19 December 2019 regarding the abovementioned draft Planning Proposal and wish to advise that Council at its meeting of 11 February 2020 considered a report on the matter and resolved that:

1. That Council note the decision of the Sydney Western City Planning Panel to support the submission of a draft Planning Proposal for 71 St Andrews Road, Varroville for a Gateway determination.
2. That Council notify the Department of Planning, Industry and Environment that it declines the offer of undertaking the role of local Planning Proposal Authority in this instance.
3. That Council reaffirms by writing to the department its original resolution to not support the draft planning proposal submission to Gateway determination.

The Chair of the Sydney Western City Planning Panel has similarly been advised of Council's resolution. Attached for your information is a copy of the Council report and resolution.

Should you require any further information, please contact me on (02) 4645 4305.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Fletcher Rayner
Executive Manager
Urban Release and Engagement

Campbelltown City Council
91 Queen Street, Campbelltown
PO Box 57, Campbelltown NSW 2560

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ABN: 31 459 914 087



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7.2 Anoulack Chanthivong MP - Development Applications

Officer's Recommendation

That the letters be received and the information be noted.

Letter to Anoulack Chanthivong MP, from Tim Hurst, Deputy Secretary, Local and Regional Planning, on behalf of the Hon Rob Stokes MP, Minister for Planning and Public Spaces in response to Council's correspondence seeking support to bring decision making powers back to Council.

Attachments

1. Copy of letter from Tim Hurst, Deputy Secretary, Local and Regional Planning, on behalf of the Hon Rob Stokes MP, Minister for Planning and Public Spaces (contained within this report)
2. Copy of letter from Anoulack Chanthivong MP regarding return of powers to Council (contained within this report)
3. Copy of letter to Anoulack Chanthivong MP regarding return of powers to Council (contained within this report)



Planning,
Industry &
Environment

RECEIVED BY

9 MAR 2020

ANOULACK
CHANTHIVONG MP

MDPE20/277

Mr Anoulack Chanthivong MP
Member for Macquarie Fields
PO Box 882
INGLEBURN NSW 1890

Dear Mr Chanthivong

Thank you for your correspondence to the Hon. Rob Stokes MP, Minister for Planning and Public Spaces, on behalf of Ms Lindy Deitz, General Manager of Campbelltown City Council (Council), regarding local planning panels (LPPs). The Minister has asked me to respond on his behalf.

I note Council are concerned that the introduction of LPPs has had an undesirable effect on the planning system and it would like authority to determine certain development applications to be given back to elected representatives.

LPPs were introduced across Sydney and Wollongong to bring expertise, transparency and integrity to the determination of development applications. Their introduction also met a key anti-corruption measure recommended by the Kaldas Review (which is available at www.planning.nsw.gov.au/Assess-and-Regulate/About-compliance/Kaldas-review).

The panel model emphasises the role of councillors as strategic leaders of their communities, allowing them to focus on setting the vision, policies, and controls for development in their local area. Elected councillors therefore still provide a key role in representing the interests of their constituents in planning matters.

You would also be aware that community members are given adequate notice of where and when panel meetings are taking place, and that they are encouraged to attend and address their thoughts on development applications directly.

The *Environmental Planning and Assessment Act 1979* requires panel members to have relevant expertise, and the chair must also be experienced in law or government and public administration. Panel members are also bound by a Code of Conduct which outlines the requirements for managing conflicts of interests, privacy and interactions with councils and applicants. This improves the quality of planning decisions by introducing an increased level of professionalism and impartiality.

The Department of Planning, Industry and Environment (the Department) is committed to ensuring the LPP model enables the planning system to function efficiently. The Department engaged the University of Technology, Sydney to evaluate the first 12 months (2018–2019) of operation. Their findings indicate the model is working well and brings a high level of expertise to local government determinations. More information about the evaluation can be found at www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Local-Planning-Panels/Evaluation-framework.

If Council officials have any further questions, they are welcome to contact Ms Kristy Chan, Director of Regulation Reform, at the Department of Planning, Industry and Environment on 9274 6107.

Yours sincerely



Tim Hurst
Deputy Secretary
Local and Regional Planning

3/3/20
CC: The Hon. Shelley Hancock MP, Minister for Local Government



13FEB'20 07:23 RCUD

Anoulack Chanthivong MP

MEMBER FOR MACQUARIE FIELDS

The General Manager
Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

11 February 2020

Dear Lindy,

I refer to your letter dated 6 February 2020 regarding current planning regulations that remove Councillors from the decision-making process for development applications.

As a result of your representations I have written to both the Minister for Planning and Public Spaces and the Minister for Local Government for their advice on the matters you have raised.

I am pleased Council has taken a stance on this matter, an issue that has deeply concerned me for quite some time.

As you are aware, I have continuously and consistently advocated for residents' concerns and wishes to be at the heart of our planning system – whether it be during the determination of a particular development application or in the drafting of wider regulations.

It is imperative that both the Liberal Government and Campbelltown City Council enact planning and development policies that reflect the views of our community.

Given the structure of the Liberal Government's current planning system, I would encourage all Councillors wanting to advocate on behalf of their constituents in relation to particular development applications to write submissions to the Local Planning Panel. Staying silent would be inconsistent with the values expressed in Council's correspondence on this issue.

When I am in receipt of the Minister's advice I will write to you again.

Yours sincerely,

SIGNATURE HAS BEEN REMOVED

Anoulack Chanthivong MP
Member for Macquarie Fields

Office: Shop 3, 2-6 Oxford Road Ingleburn NSW 2565 **Mail:** PO Box 882 Ingleburn NSW 1890

Phone: 02 9618 2077 **Fax:** 02 9618 2088 **Email:** macquariefields@parliament.nsw.gov.au

Website: www.letsbackanoulack.com



6 February 2020

Mr Anoulack Chanthivong MP
Member for Macquarie Fields
Shop 3 Ground Floor
2-6 Oxford Street
INGLEBURN NSW 2565

Dear Mr Chanthivong

Return of Powers to Elected Council - Development Applications

I refer to the NSW Government's decision to remove the powers of determination for development applications from elected Councillors, who are the representatives of their local communities. In place of the elected Council, the government requires all development applications which meet a certain criteria, to be determined instead by an independent Local Planning Panel (the Panel).

It has become a continual point of frustration for both the community and the elected Council where decisions on certain types of development made by the Panel, are not necessarily made in the manner expected by the Council or its constituents. While the decisions made by the Panel may well be legally sound, the decisions are not necessarily in keeping with the expectations of the local community.

Additionally, community access to Panel members is dissimilar, to the point of non-existent, when compared to the access afforded by Councillors to their constituents when the elected Council had the power of determination. The community subsequently feels removed from the planning process, with elected Councillors being disenfranchised and suffering reputational damage through perceived lack of action on development issues it cannot involve itself in, resulting from policy it did not devise or agree to.

This point alone has raised questions as to whether the current planning law acts appropriately and whether in fact, the current planning framework (by removing the authority of the elected Council) is acting to protect the local environment and community or instead (by replacing the elected Council with an independent Panel) the interests of the developer.

Although it is aware of the genesis of the government's decision to remove the determination powers of the elected Council, this action has brought with it undesirable outcomes including further delays to the planning process, the introduction of further red tape and additional and unnecessary costs to the developer and rate payer, and a disconnect between the community and what is supposed to be a transparent and community focused planning system.

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131 450

For example, the particular criteria that requires development applications to be forwarded to the Panel for determination has in some circumstances, resulted in unnecessary delays for the applicant with the determination process timeframes delayed by up to six weeks due to having to meet the next available Panel meeting agenda deadline. There are many examples where such a development could have easily been determined under delegated authority without being subject to unnecessary delays characteristic of the Local Planning Panel system.

A further example of how the Local Planning Panel framework is having a significantly adverse impact on the operations of a Council is that the regulated fees and charges that a Council is able to apply to a particular development application, do not necessarily cover the additional cost associated with the holding and resourcing of a Panel meeting. Any additional fees above that which the Council can lawfully recoup from the applicant is ultimately borne by the rate payer.

Following on from this, all Councils would have experienced the additional resource burden of the operation and management of the Panel where (but due to the Panel criteria) it was totally unnecessary for the application to be referred to the Panel. This results in unnecessary delays in the determination of applications; additional expenses related to catering for the unnecessary Panel meeting; and the engagement and payment of wages to the Panel members for attendance at an unnecessary Panel meeting. This doesn't account for the additional time and resource load and productivity loss experienced by the proponent in having to attend the unnecessary Panel meeting.

In every circumstance, the Council is adequately resourced to determine development applications under delegated authority or otherwise under the authority of the elected Council reflecting the desires and expectations of its community.

The current system is not considered a suitable response or experience as it relates to the management of development applications, and it is expected that it is not one that the government would support in its efforts in making the planning system less bureaucratic, less cumbersome, less costly and more community focused.

With respect to this issue, I can advise that Council recently considered a Notice of Motion in relation to this matter, and resolved, in part:

- To express the Council's and the communities' frustration with the NSW Government's decision to remove the powers of determination for development applications away from elected councillors who represent their community.
- That the NSW Government return to the elected Council, the power to determine development applications, immediately.
- That the NSW Government remove the monetary threshold for development applications to be referred to Local Planning Panels.
- That the NSW Government place the power with the Council to determine as to what circumstances a development application might be referred to the Local Planning Panel.

While the Council can see value in there being an independent planning panel available to the Council where particular circumstances prevail (such as for the determination of development applications lodged by the Council, or by Councillors or those who hold positions of particular statutory authority within the Council, for example), it is the Council's strongest opinion that the authority to determine development applications in its local area lies squarely with the elected Council and as such, the authority to determine development applications should be returned to the elected Council immediately.

Having regard to the above, and on behalf of the Council, I look forward to your support and representations to the Minister for Planning and Public Spaces - The Hon. Rob Stokes MP and the Minister for Local Government - The Hon. Shelley Hancock MP, and look forward to your response to the same.

Council has written to both the Minister for Planning and Public Spaces and the Minister for Local Government separately and is also seeking the support of yourself, the Member for Campbelltown and Shadow Minister for Local Government – Mr Greg Warren MP, and the Shadow Minister for Planning and Better Places - The Hon. Adam Searle MLC.

Should you require any additional information, please feel free to contact myself on 4645 4305 or Mr Jim Baldwin on 4645 4575.

Yours sincerely,

SIGNATURE HAS BEEN REMOVED

Lindy Deitz
General Manager

8. REPORTS FROM OFFICERS

8.1 Development Application Status

Reporting Officer

Director City Development
City Development

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.8 - Enable a range of housing choices to support different lifestyles

Officer's Recommendation

That the information be noted.

Purpose

To advise Council of the status of development applications within the City Development Division.

Report

In accordance with the resolution of the Council meeting held 13 March 2018, that:

Councillors be provided with monthly information detailing the status of each report considered by the (IHAP), now known as the Local Planning Panel (LPP), South Western City Planning Panel and approved by the General Manager under delegation of a value of more than \$1m, the attachment to this report provides this information as requested.

Attachments

1. List showing status of Development Applications (contained within this report)

Development Application Register

DAs to be considered by the Regional Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
389/2017/DA-RA	'Raith' 74 Fern Avenue, Campbelltown	Construction of a residential development containing 134 residences and alterations to and use of the existing heritage building.	\$26,000,000	>20 million (registered prior to \$30mil threshold)	Under assessment	
130/2019/DA-SL	247 Jamboree Avenue, Denham Court	Construction of a 144 bed residential aged care facility with onsite parking for 48 cars, loading facility and associated site and landscaping works	\$39,051,242	>\$30 million capital investment value	Completed	Approved with conditions at Regional Panel's March meeting
308/2019/DA-C	22-32 Queen Street, Campbelltown	Concept plan for a proposed multi-storey mixed use residential and commercial development	\$132,572,272	>\$30 million capital investment value	Under assessment	
1227/2019/DA-M	12-16 Francis Street and 121 Minto Road, Minto	Demolition of four existing dwellings and construction of 23 'affordable rental housing' townhouses and basement car parking	\$7,995,408	>\$5 million capital investment value for affordable rental housing	Under assessment	
2117/2019/DA-DE	Lot 104 Hepher Road, Campbelltown	Construction and operation of a waste management facility in the form of a community recycling centre	\$480,000	Designated development	Under assessment	
434/2020/DA-C	158 Queen Street Campbelltown	Amalgamation of two allotments, demolition of structures and construction of an 11 storey building comprising of a 2 storey RSL club with 152 hotel rooms above	\$50,056,894	>\$30 million capital investment value	Preparing for public exhibition	

Development Application Register

DAs to be considered by the Department of Planning						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
SSD 17_8593	16 Kerr Road, Ingleburn	Expansion of existing waste recovery and reuse facility, extension of operating hours to 24 hours per day	\$1,813,000	State Significant Development	Under assessment	
SSD-9476	Commissioners Drive, Denham Court	Construction and operation of a new public primary school	Unavailable	State Significant Development	Under assessment	
SSD-10420	6A Watsford Road, Campbelltown	Construction and operation of a new school	Unavailable	State Significant Development	Under assessment	
SSD-10136	St Andrews Road, Varroville	Conversion of an existing advertising sign to LED panel	Unavailable	State Significant Development	Under assessment	

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2238/2017/DA-RA	37 Cumberland Road, Ingleburn	Demolition of an existing dwelling and construction of a five storey residential apartment building containing 30 units, basement car parking	\$8,712,418	Residential Flat Building - more than 3 storeys	Deferred for amendments at December 2019 Panel meeting	
3598/2017/DA-SL	1 Reddall Street, Campbelltown	Demolition of existing dwelling and construction of a three storey senior living building consisting of 14 independent living units	\$2,400,000	Residential Flat Building – more than 3 storeys	Completed	Approved with conditions at Panel's March meeting

Development Application Register

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
3885/2017/DA-SW	Lot 3 Menangle Rd, Menangle Park	Stage 1 – Menangle Park Urban Release Area – civil works and subdivision of land to create 255 residential lots and seven super lots	\$19,330,000	VPA	Under assessment	
368/2016/DA-U	150 Georges River Road, Kentlyn	Extension of existing poultry sheds	\$10,000	Number of objections	Under assessment	
743/2018/DA-SW	901 & 913 Appin Road, Campbelltown	Subdivision into 333 residential allotments, 5 residue allotments with associated civil works including road construction, stormwater management facilities and tree removal Stage 1	\$19,072,587	Number of objections	Under assessment	
3493/2017/DA-RS	Lot 1 Linum and Lot 143 Lantana Streets, Macquarie Fields	Construction of 12 two storey dwellings and subdivision into 12 Torrens title allotments	\$3,200,000	Council land	Awaiting further information from applicant	
975/2019/DA-S	10 Dowie Drive, Claymore	Subdivision and change of use of a residential building	No cost	Council staff	Applicant to withdraw	
774/2018/DA-C	111 Oxford Road, Ingleburn	Partial demolition of existing heritage-listed dwelling and alterations to the existing dwelling for use as a childcare centre for 150 children and associated car parking	\$1,250,000	Heritage	Completed	Approved at Panel's March meeting

Development Application Register

DAs with a stated value of \$1 million or more approved under Delegated Authority by the General Manager since last Council meeting						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2704/2018/DA-BH	23 Waratah Crescent, Macquarie Fields	Demolition of existing garage and construction of a two storey, 12 bedroom boarding house and basement car parking	2,399,840	Delegated	Completed	Approved with conditions on 3 March 2020
3544/2018/DA-RS	87 Townson Avenue, Minto	Demolition of existing structures, construction of six two storey dwellings, landscape works and subdivision into six Torrens titled allotments	2,721,935	Delegated	Completed	Approved with conditions on 27 February 2020

8.2 Draft Campbelltown (Sustainable City) Development Control Plan Amendment No 8 (2020)

Reporting Officer

Executive Manager Urban Release and Engagement
City Development

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

Officer's Recommendation

That Council adopt and notify Draft Campbelltown (Sustainable City) Development Control Plan Amendment No 8 (2020) as revised and provided in attachment 1.

Executive Summary

- Housekeeping amendments have been prepared to align the Campbelltown (Sustainable City) Development Control Plan (CSCDCP) with existing decisions of Council and to ensure consistency between State policies and Council's Local Environmental Plan 2015 in relation to contaminated land planning, multi dwelling housing, public consultation, tree permit provisions and subdivision of the Mt Gilead and Menangle Park Urban Release Areas.
- The draft amendments to the CSCDCP were exhibited from 21 January 2020 to 21 February 2020 with one submission received from GLN Planning on behalf of Lendlease.
- This report recommends that the draft CSCDCP be adopted with minor revisions as outlined within this report.

Purpose

To provide Council with details of a submission received during the public exhibition of the draft amendment to the Campbelltown (Sustainable City) Development Control Plan (CSCDCP), and recommendation that Council adopt the plan with minor revisions as outlined in this report.

History

At its ordinary meeting of 10 December 2019, Council considered a report proposing an amendment to the CSCDCP.

The amendment relates to a number of areas including contaminated land assessment; community consultation; medium density development in the R2 Low Density Residential Zone; vegetation and tree permits; and compliance with local environmental plan requirements for urban release areas at Menangle Park and Gilead.

At that meeting Council resolved:

1. That Council endorse public exhibition of the proposed draft amendment to Campbelltown (Sustainable City) Development Control Plan as provided in attachment No 1.
2. That where non-supportive submissions are received during the public exhibition period, a further report be presented to the Council of the outcome of the public exhibition and the response to the submissions.
3. That subject to recommendations No. 1 and 2, the General Manager be authorised to adopt and formally notify the commencement of the amended plan.

The plan was subsequently exhibited from 21 January 2020 to 21 February 2020 with one submission received from GLN Planning on behalf of Lendlease. A workshop was also convened with local arborists and their associations on 5 February 2020.

Report

This report presents a summary of the consultation process, submission received and proposed amendments in response to the issues raised.

1. Community Consultation

One submission was received on behalf of Lendlease that suggested alternate wording to the staging provisions of the Mt Gilead part of the CSCDCP.

Legal advice was subsequently sought and the drafting of the clause was amended in response to this and the GLN Planning submission.

The revised clause addresses the requirements of Clause 6.3 of the Campbelltown Local Environmental Plan 2015. Similar changes were made to the proposed provisions for the Menangle Park DCP Section.

The informal feedback received from persons who attended the arborist industry forum raised no concerns with the proposed DCP itself. The feedback instead concerned Council procedures and processes which may be separately addressed via amendments to Council's website and provision of fact sheets.

2. General Amendments

A description of the exhibited amendment to CSCDCP and proposed revisions in response to the submission and review by Council's lawyer is summarised below and detailed in attachment 1.

Clause	Description of Original Amendment	Changes Since December 2019 Report	Comments
Volume 1: Development controls for all development types			
List of Amendments	Add new Amendment 8	None	Record that the DCP has been amended.
Contents Page	Delete Part 9 Public Consultation table entry and replace with explanatory text	None	Replaced by Community Participation Plan.
	Delete Appendix 10 – Contamination Management Plan table entry	None	Contamination provisions are not required in the CSCDCP as SEPP 55 - Contamination provides the relevant requirements.
Part 3	Delete references to multi dwelling housing in the R2 Low Density Residential Zone where occurring in the text and in the figure on page 65.	Add date of commencement of LEP Amendment to note on page 137 and amend note to require existing multi dwelling development to be lawful to be subdivided. Add a savings provision for DAs lodged before the DCP commences.	Reflect new prohibition in DCP.
Part 11.3 Permits and Development Applications for Vegetation Permits	Delete and replace with new Clause 11.3: Permits for Vegetation Management.	Various changes described in detail below.	Required to ensure consistency with State Environmental Planning Policy (Vegetation in Non-Rural Areas). Detailed explanation provided below.
General Amendment	N/A	Provide a note for renumbering pages in the plan. Clarify the relationship between the amending and principal DCPs. Number the pages of the amending plan. Add a reference to Campbelltown LEP 2015 to comply with the regulations.	These are administrative notes that have been added for clarity.

Volume 2: Site Specific Development Control Plans			
Part 7, Clause 2.3 - Mount Gilead Staging Plan	Add new provisions providing for the development of the entire urban release area as a single stage or any number of sub stages.	Revised to include a plan drawing of the site as a single stage and to incorporate feedback from GLN Planning on behalf of Lendlease and Council's lawyer.	This provision is proposed to satisfy Clause 6.3(3)(a) of Campbelltown Local Environmental Plan, 2015
Part 8, Clause 1.4A – Menangle Park Staging Plan	Add new provisions providing for the development of the entire urban release area as a single stage or any number of sub stages.	Revised to include a plan drawing of the site as a single stage and to align with approach for Mt Gilead as per GLN submission and advice from Council's lawyer.	This provision is proposed to satisfy Clause 6.3(3)(a) of Campbelltown Local Environmental Plan, 2015

3. Tree and Vegetation Definitions

In August 2017, the NSW Government made State Environmental Planning Policy (Vegetation in Non-Rural) Areas 2017 (The Vegetation SEPP) for the purpose of providing a consistent approval framework for the clearing of vegetation in NSW.

It is necessary to amend the CSCDCP to be consistent with this new framework. It is proposed to achieve this by defining two permit processes for clearing trees and vegetation.

The term "Declared Vegetation" is proposed for higher value vegetation and these would require a vegetation permit. The term "Declared Tree" is proposed for lower value trees and these would require a tree permit.

The following post exhibition amendments have been made to improve interpretation:

1. the definition of a tree affected by heritage considerations has been clarified
2. minor rewording relating to the adoption of the significant tree register
3. excluding development consents issued prior to January 2015 from making vegetation "declared vegetation"
4. excluding trees that are within minimum power line clearance distances from being "declared trees"

Upon commencement, Council's website page would be updated with advice to assist arborists and the community in determining what class of vegetation is on their land. This page would also provide access to online application forms and relevant legislation.

4. Tree and Vegetation Exemptions

A description of the exhibited amendment to CSCDCP and post exhibition amendments to improve interpretation is summarised below and detailed in attachment 1.

Current DCP Clause / Reference	Description of Original Amendment	Changes Since December 2019 Report	Reason
Dangerous Trees Dead or Dying (to Council's satisfaction)	Removed from the DCP.	None	The exemption for dead, dying and dangerous trees is now provided in the Vegetation SEPP.
A lawful development (described in a number of ways)	A single exemption for any clearing authorised by a development consent.	None	To reduce repetition and avoid confusion.
Maintenance of Garden and Landscape Areas	No significant changes.	None	N/A
Utility Management State Forests Work under overriding legislation	A single exemption for any work authorised by another piece of legislation.	Added exemption for power lines to definition of "declared tree".	To reduce repetition and avoid confusion.
Crown Maintenance Pruning	Rewritten as a more detailed exemption.	Corrected a typo.	To clarify the type of pruning that is acceptable under this exemption.
Noxious Weeds Commercial or domestic fruit trees Cocos Palms African Olive and Camphor Laurel Trees	Retained as part of a broader exemption but does not apply to declared vegetation.	Moved to a separate register that is adopted by the DCP.	By maintaining a separate register, additional exempt species can be added as required. This exemption does not apply to declared vegetation such as a heritage listed tree.
Within 3m of a foundation wall of a building or swimming pool	Retained with some changes, including: <ul style="list-style-type: none"> - that the exemption not apply to declared vegetation - That the exemption apply to all buildings except sheds and similar structures - That the exemption not 	Clarified how the 3m is to be measured.	The 3m exemption will no longer apply to declared vegetation. It is proposed that trees within 3m of an existing swimming pool are no longer exempt as it is considered reasonable to require a permit in this situation.

Current DCP Clause / Reference	Description of Original Amendment	Changes Since December 2019 Report	Reason
	apply to swimming pools.		
Work undertaken by Council on Council land	Retained with some changes to simplify the exemption.	Clarified that the exemption applies to trees partially on Council land. Restricted the exemption to community land. Added a definition of community land adopting the Local Government Act.	The changes recognise that Council has internal processes to assess the removal of trees without requiring a permit.
New Exemption	Work undertaken by emergency services agencies during an emergency.	None	To ensure emergency services agencies are not hindered in managing an emergency situation.

5. Assessment of Permits

It is proposed to simplify, consolidate and expand the criteria used to assess applications for tree and vegetation permits. The proposed new criteria are:

- planning controls for the site and its heritage values
- whether the species is a weed species
- visual significance of the vegetation
- contribution the tree or vegetation makes to the local environment
- risk of retaining the tree or vegetation for public health and flooding
- alternatives to removal and opportunities for replacement planting

The only post exhibition amendment to this section relates to considering the objectives of an existing condition of development consent (where applicable) that required the vegetation to be retained or planted. This would require, for example, consideration of visual impact and privacy in a situation where trees were required by a development consent to provide screening for a development.

6. Permit Conditions

Similar to conditions of development consent, tree and vegetation permits would include conditions that an applicant is bound to comply with. No post exhibition amendments are proposed.

7. Statutory Considerations

The Environmental Planning and Assessment (General) Regulation, 2000, includes the following provisions relating to the making of a DCP:

Provision	Comment
C16(1) A DCP must be in writing	The proposed DCP is consistent with this requirement.
C16(2) A DCP must identify the land and the LEP applying to the land	This applies to the proposed amending DCP and an additional clause has been added to comply with this requirement.
C18-20 A DCP must be publically exhibited	The plan was exhibited in accordance with these provisions.
C21 Approval of a DCP	This provision allows Council to make the plan after exhibition is completed. It also provides Council flexibility to make any changes after exhibition that it sees fit.
C22 Amending a DCP	This provision allows a DCP to amend an existing DCP. This is the intention of the draft DCP.

Conclusion

The proposed amendments to the CSCDCP attached to this report address recent resolutions of Council, and the requirements of State Environmental Planning Policies or Campbelltown Local Environmental Plan 2015 in relation to contaminated land planning, multi dwelling housing, public consultation, tree and vegetation permit provisions and subdivision of the Mt Gilead and Menangle Park Urban Release Areas.

One submission was received in response to public exhibition of the amendment, and the matters raised within that submission, have been addressed. Accordingly, it is recommended that Council adopt the draft CSCDCP amendment as provided in attachment 1 for commencement.

Attachments

1. Draft DCP Amendment No 8 (contained within this report)

DRAFT

Campbelltown (Sustainable City) Development Control Plan (Amendment No 8) 2019

A. Under Section 3.43(4) of the Environmental Planning and Assessment Act, 1979, this Campbelltown (Sustainable City) Development Control Plan (Amendment No 8) 2019 amends Campbelltown (Sustainable City) Development Control Plan 2015 (the Principal Plan) in the following manner:

1. Part 9 Public Consultation is removed from the Principal Plan;
2. Appendix 10 to the Principal Plan is deleted;
3. The Principal Plan is modified as detailed on the following pages; and
4. The affected pages of the Principal Plan are renumbered sequentially and without creating any new blank pages.

B. The amendments made to the Principal Plan by pages 8-19 of this amending plan do not apply to any development application that was made but not determined before the commencement of this amending plan. These applications must be determined as though those parts of this amending plan had not commenced.

C. This amending plan applies to all land to which the Principal Plan applies. Accordingly, this amending plan applies to all land to which Campbelltown Local Environmental Plan, 2015, applies.

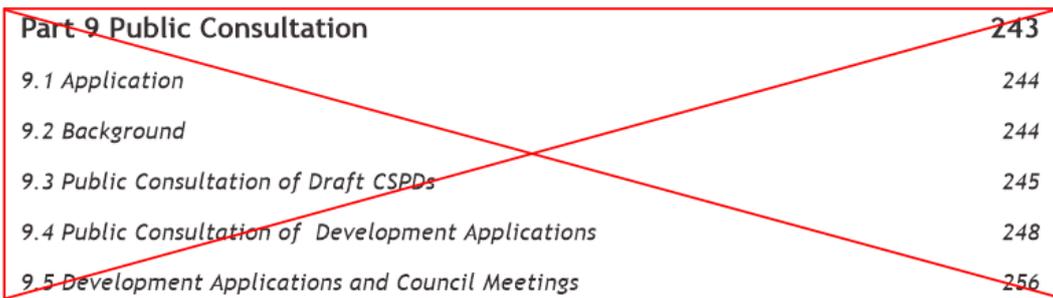
Volume 1: Development Controls for All Types of Development

List of Amendments to the Plan :

Amendment No	Date of Adoption by Council	Effective Date
Amendment No 1	21 June 2016	27 July 2016
Amendment No 2	25 October 2016	8 November 2016
Amendment No 3	22 November 2016	8 September 2017
Amendment No 4	13 December 2016	17 November 2017
Amendment No 5	10 April 2018	25 April 2018
Amendment No 6	9 April 2019	7 May 2019
Amendment No 7	9 July 2019	17 July 2019
Amendment No 8	TBA	TBA

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DELETE AND REPLACE WITH
Part 9 of the plan was removed because it was replaced
by Campbelltown City Council's Community Participation
Plan in December 2019.



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2.1
Application

DELETE

Section	Question	Threshold
Risk Management - Contaminated Land	Will the development involve: a) Land that has the potential to be contaminated? b) Land that has been identified as being contaminated?	If yes, refer to 2.14
Risk Management - Salinity	Will the development involve the construction of a building?	If yes, refer to 2.14.2
Risk Management - Bushfire	Will the development involve: a) Land identified as bushfire prone land on the Campbelltown Bushfire Prone Land Maps? b) Any activities in areas occupied by or adjoining areas of native vegetation?	If yes, refer to 2.14.3
Risk Management - Mine Subsidence	Will the development involve the construction of a building on a site located within South Campbelltown Mine subsidence district, or Appin Mine subsidence District?	If yes, refer to 2.14.4 and the EDGD
Risk Management - Public Health	Will the development involve the provision of cooling towers?	if yes, refer to 2.14.5
Waste Management	Will the development involve the construction of a building? Will the development involve the change of use of a building?	If yes refer to 2.15 and the EDGD
Provision of Services	Will the development involve land that is not currently serviced by water, electricity and/or waste water sewage services?	If yes refer to 2.16
Work On, Over or Near Public Land	Will the development involve work on, over or near public land?	If yes refer to 2.17
Land adjacent to Water NSW Upper Canal	Will the development involve work near Water NSW Upper Canal?	If yes refer to 2.18
Development near or on electricity easements	Will the development involve work on, over or near electricity easements?	If yes refer to 2.19
Land adjacent to or affected by a gas easement	Will the development involve work on, over or near gas easement?	If yes refer to 2.20

2.14

Risk Management

2.14 Risk Management

Objective:

- Ensure that hazards of the site are addressed so as to minimise the risk of:
 - injury to persons/property;
 - damage to the environment; and
 - financial loss.

2.14.1 Contaminated Land

Design Requirements

- a) The requirements of *Managing Land Contamination Planning Guidelines, SEPR 55 - Remediation of Land* (EPA, DUAP, 1998) shall be satisfied on sites known to have, or may give Council reason to suspect, a potential for previous contamination.
- b) An initial investigation regarding the possible or actual contamination of a site shall be carried out by a suitably qualified person.
- c) Where a site is identified by Council, Office of Environment and Heritage and/or by the initial investigation as being, or having the potential to be contaminated, a Contamination Management Plan shall be submitted with the development application.

Note: For requirements relating to the preparation of a Contamination Management Plan refer to Appendix 10.

DELETE

2.14.2 Salinity

Design Requirements

- a) Any development :
 - i) within 50 metres of the top of the bank of a watercourse;
 - ii) located in an area that has bare soil patches or salt scalds;
 - iii) occupied by soils that appear 'puffy' when dry, or greasy when



Figure 2.14.1 - Salt damage in the brickwork of buildings identifies a possible salinity problem in the area.

3.1 Application

3.1 Application

Part 3 sets out the following:

- Desired future character of low and medium density residential neighbourhoods;
- General Requirements for all Types of Residential Development in areas zoned R2, R3, R4 and R5;
- Development controls for the following ancillary residential structures in areas zoned R2, R3, R4 and R5 where they are associated with low and medium density residential development:
 - fencing;
 - outbuildings; and
 - swimming pools/spas;
- Development controls for the following low density residential development in areas zoned R2, R3, R4 and R5 :
 - dwelling houses in areas zoned R2 and R3;
 - secondary dwellings in areas zoned R2, R3, R4 and R5;
 - dual occupancies (attached and detached) in areas zoned R2 and R3 and dual occupancies (attached) in areas zoned R5;
 - semi-detached dwellings in areas zoned R2 and R3; **and**
 - attached dwellings in areas zoned R2;~~and;~~
 - ~~• multi dwelling housing in areas zoned R2;~~
- Development controls for the following medium density residential development in areas zoned R3 :
 - attached dwellings in areas zoned R3; and
 - multi dwelling housing in areas zoned R3; and
- Development controls for residential subdivision

The design requirements contained within this part are to be read in conjunction with the provisions contained in Part 2 of Volume 1.

Zone Acronyms

R2 Low Density Residential: R2
 R3 Medium Density Residential: R3
 R4 High Density Residential: R4
 R5 Large Lot Residential: R5

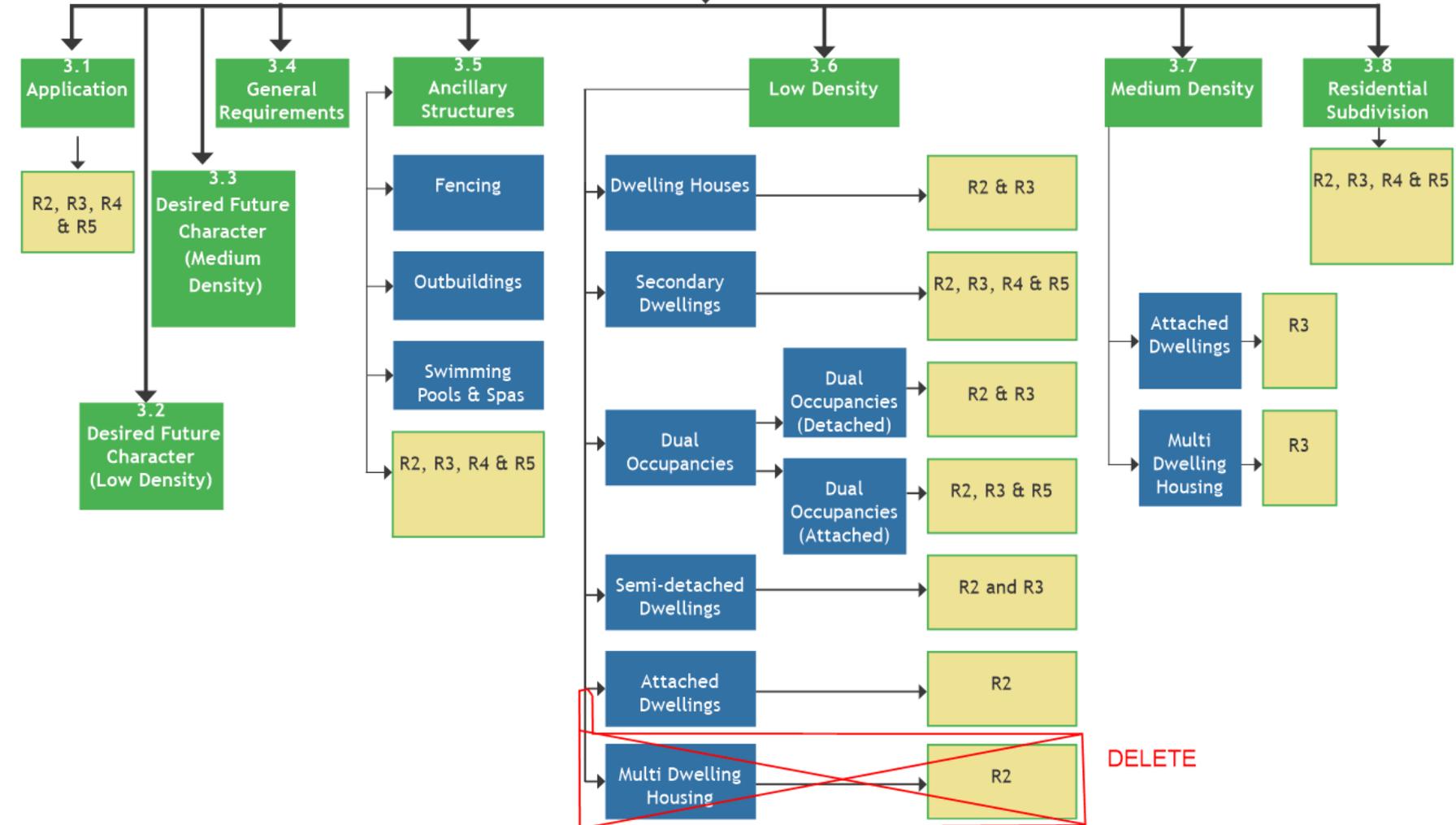
Note:

Numerical Development Standards for floor space ratios, building heights, qualifying site areas and minimum subdivision are provided under the CLEP.

Note:

Figures included under this Plan are for illustration purposes only and are not to be interpreted or taken in any way or form as a development control.

The Structure of Part 3
Low and Medium Density Residential Development & Ancillary Residential Structures



3.2

3.2 Desired Future Character for Low Density Residential Neighbourhoods

Desired Future Character for Low Density Residential Neighbourhoods

The low density residential neighbourhoods shall continue to be characterised by:

- one and two storey dwelling houses that are designed to provide a high level of residential amenity for their occupants and the occupants of adjoining properties;
- streetscapes where buildings are setback from the primary street frontage to provide opportunities for deep soil planting and landscaping; and
- articulated front facades where garages are setback and do not dominate the streetscapes; and
- limited stock of ~~multi dwelling housing and~~ attached dwellings that:
 - respect the existing character of the low density neighbourhoods; and
 - are of low scale and density.

Note:

For the purpose of this part, low density residential development means any of the following:

- a dwelling house;
- a secondary dwelling;
- a dual occupancy (attached or detached);
- a semi-detached dwelling; **or**
- attached dwellings in areas zoned R2; ~~or~~
- ~~• multi dwelling housing in areas zoned R2.~~

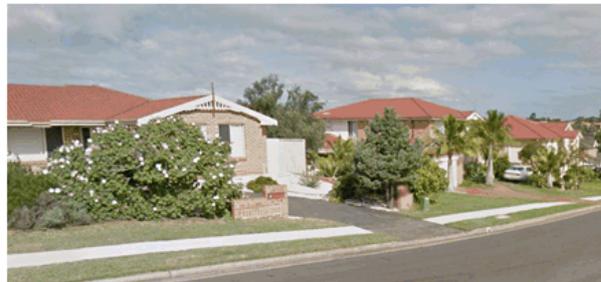


Figure 3.2.1 - Examples of streetscapes within existing low density residential neighbourhoods of Glen Alpine and Raby.

3.6 Low Density Residential Development - Zones R2, R3, R4 & R5

3.6
Low Density Residential Development

This section applies to:

- dwelling houses in areas zoned R2 and R3;
- secondary dwellings in areas zoned R2, R3, R4 and R5;
- dual occupancies (attached and/or detached) in areas zoned R2, R3 and R5
- semi-detached dwellings in areas zoned R2 and R3; **and**
- attached dwellings in areas zoned R2; ~~and~~.
- ~~• multi dwelling housing in areas zoned R2.~~

Important Note:

Numerical Development Standards for floor space ratios , building heights, qualifying site areas and subdivision for residential development are provided under the CLEP.



Figure 3.6.1 - Examples of low density residential development.

3.6

Low Density Residential Development

3.6.6 Multi Dwelling Housing

3.6.6 Multi Dwelling Housing - Zones R2 Low Density Residential Zone

Objectives:

- Encourage quality-designed multi dwelling houses that make a positive contribution to the streetscape and amenity of the neighbourhood.
- Ensure that multi dwelling housing within R2 Low Density Residential are of small scale and bulk.
- Ensure that multi dwelling housing offer a high standard of amenity for its occupants and maintains the amenity of other residents in the locality.
- Ensure that internal living areas are of appropriate size and dimensions having regard to the number of potential occupants of a dwelling within a multi dwelling housing development.

3.6.6.1 General Requirements for Multi Dwelling Housing - Zone R2

- a) A minimum of 10% of the total number of dwellings within a multi dwelling housing development containing 10 or more dwellings shall be adaptable dwelling(s).
- b) Multi dwelling housing shall not be erected on an existing battle-axe allotment.
- c) Subject to the satisfaction of other requirements within the Plan, the number of dwellings permitted within a multi dwelling housing development shall not exceed:
 - i) 2 dwellings for the first 700sqm of land area; and
 - ii) 1 dwelling for each 300sqm of land area thereafter.
- d) For the purpose of calculating the developable area of an allotment:
 - i) any land that is part of an environmental corridor as specified by the *Office of Environment and Heritage* or any other government agency; or
 - ii) any land that is subject to bushfire,

Note:

Multi dwelling housing (as defined under the CLEP) means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Note:

Refer to Section 4.1C of the CLEP for the minimum qualifying site area and lot sizes for multi dwelling housing.

DELETE

flooding or other risk (excluding mine subsidence); or

iii) a right of carriage way;

shall not be included within the developable area of the allotment, unless the relevant public agency is satisfied that that part of the allotment is capable of being developed for the purpose of multi dwelling housing.

e) Multi dwelling housing shall only be permitted on a site:

i) having a minimum width of 22.5 metres measured along the side boundaries at a distance of 5.5 metres from the primary street boundary;

ii) having a minimum width of 10 metres measured between the extended property side boundaries, or in the case of a corner allotment, the secondary street boundaries where they intersect with the kerb line; and

iii) where no part of the allotment is within 50 metres of the commencement of the head of a cul-de-sac to which vehicular access to the site is obtained (refer to Figure 3.6.6.3).

f) Each dwelling within a multi dwelling housing development shall be provided with an 'incidentals' storage facility within the dwelling, which shall be available for personal use of the occupants of each dwelling, and designed and constructed of materials to Council's satisfaction. Such storage facility shall have a storage capacity of not less than the following:

i) 4 cubic metres in the case of a studio flat;

ii) 6 cubic metres in case of a 1 bedroom flat;



Figure 3.6.6.1 - An example of a multi dwelling development, with street frontage.

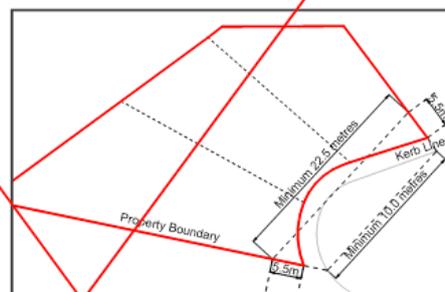


Figure 3.6.6.2 - Illustration of the requirements for the minimum allotment frontage incorporating multi dwelling housing.

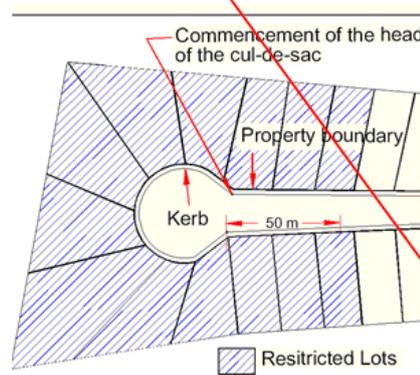


Figure 3.6.6.3 - Illustration of the 50 metre distance from the commencement of the head of a cul-de-sac where multi dwelling housing development —are restricted.

3.6

Low Density Residential Development

3.6.6 Multi Dwelling Housing

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3.6

Low Density Residential Development

3.6.6 Multi Dwelling Housing

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- iii) 8 cubic metres in case of a 2 bedroom flat; and
- iv) 10 cubic metres in case of a 3 bedroom flat or more.
- j) The incidentals storage facility shall not be created as a separate (strata) allotment to the unit it services.

3.6.6.2 Setbacks for Multi Dwelling Housing - Zone R2

- a) A multi dwelling housing development shall be set back a minimum of:
 - i) 5.5 metres from the primary street boundary;
 - ii) 3 metres from the secondary street boundary;
 - iii) 0.9 metres from any side boundary for the ground level;
 - iv) 1.5 metres from any side boundary for all levels above the ground level;
 - v) 5 metres from the rear boundary for the ground level; and
 - vi) 10 metres from the rear boundary for all levels above ground level.
- b) Notwithstanding 3.6.6.2.a) i) & ii), any garage shall be setback a minimum of 6 metres from any street boundary.

3.6.6.3 The Size of Indoor Living Areas for Multi Dwelling Housing - Zone R2

- a) The indoor living areas (i.e family room and lounges) within a dwelling (that forms part of a multi dwelling housing development) shall have a minimum of one unfragmented area that is not less than:
 - i) (3x3)sqm in case of a dwelling with 1 bedroom;
 - ii) (3.5x4)sqm in case of a dwelling with 2 or 3 bedrooms;
 - iii) (4x5)sqm in case of a dwelling with 4 or more bedrooms.
- b) For the purpose of clause 3.6.6.3a) above,



Figure 3.6.6.4 - Example of multi dwelling housing streetscape.

Note:

The requirement for the rear-to front access is required to enable occupants of an attached dwelling to move organic waste bins, lawnmowers and the like from the backyard to the front of the building without the need to pass through the main living areas.

the total number of bedrooms within a dwelling shall include any room that is capable of being used as a bedroom (i.e study room).

3.6.6.4 Rear Access for Multi Dwelling Housing - Zone R2

- a) Where there is no access to a rear lane or rear street directly available from the back of attached dwellings, each dwelling shall be provided with a separate and direct access from the backyard to the front yard that does not pass through any habitable area of dwelling (Refer to Figure 3.6.5.1 for a suggested design solution).
- b) For the purpose of 3.6.6.4 a) above, the direct access from the rear to the front of the dwelling shall have a minimum width of 0.9 metres and shall not be obstructed by hot water systems, air conditioning units, gardens or anything that results in the obstruction of the access way.

3.6.6.5 Car Parking Requirements for Multi Dwelling Housing - Zone R2

- a) Each multi dwelling housing unit shall be provided with a minimum of one (1) single garage.
- b) One (1) external additional visitor car parking space shall be provided for every two (2) units (or part thereof), unless all dwellings within the development have direct frontage to a public street.
- c) No visitor car parking space shall be located forward of the primary or secondary street boundary.
- d) No visitor car parking space shall be in a 'stacked' configuration.

3.6.6.6 Private and Communal Open Space for Multi Dwelling Housing - Zone R2

- a) Each multi dwelling housing unit shall be provided with an area or areas of private open space that:
 - i) are not located within the primary



Figure 3.6.6.5 - Example of high quality façade treatment for multi dwellings.



Figure 3.6.6.6 - Example of communal facilities for a multi dwelling housing development.

3.6
Low Density Residential Development
3.6.6
Multi Dwelling Housing

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3.6

Low Density Residential Development

3.6.6 Multi Dwelling Housing

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- street setback;
- ii) have a minimum area of 60 sqm,
- iii) have a minimum width of 3 metres;
- iv) include a minimum levelled area of (5x5)sqm;
- v) have an internal living room directly accessible to the outdoor private open space areas; and
- vi) satisfy solar access requirements contained in section 3.4.4.
- b) No part of an outdoor living area is permitted to be located within the primary or secondary street setback area.
- c) Any communal open space or recreation facility provided as a part of a development shall be designed and constructed to:
 - i) ensure safe access by the occupants of the development;
 - ii) prevent access by members of the public; and
 - iii) provide for the safety and well being of children in accordance with any applicable Australian Standard.

3.6.6.7 Presentation to Public Streets for Multi Dwelling Housing - Zone R2

- a) Multi dwelling housing shall satisfy the following additional provisions relating to streetscape:
 - i) architectural features (such as balconies, openings, columns, porches, colours, materials etc) and articulation in walls are to be incorporated into the front facade of each dwelling;
 - ii) no more than 30% of the area forward of any building line shall be surfaced with impervious materials.
- b) Multi dwelling housing shall satisfy the following architectural requirements:
 - i) a distinctive architectural outcome that unifies the range of building elements and diversity within the development and which also harmonises with

Note:
Nothing in this Plan shall be taken to mean that multi dwelling housing in areas zoned R2 are permissible to be built on top of each other.

Note:
Refer to Section 2.5 Landscaping of Part 2 of Volume 1 of the Plan for additional requirements on Landscaping.



Figure 3.6.6.7 - Example of multi dwelling housing.

surrounding development;

- ii) incorporation of variations in roof heights and wall planes to avoid long unbroken ridge lines;
- iii) incorporation of facade shifts and articulation, varied materials and colours in order to avoid duplication of the same building elements; and
- iv) provision of windows and active spaces in the building ends, to provide additional security and visual interest.

c) Multi dwelling housing shall not incorporate vehicular access that utilises any gate structure /mechanism other than access to basement car parking.

d) Unless Council can be satisfied that an existing dwelling located on the site makes a positive contribution to the character of the streetscape, that dwelling shall be demolished.

e) Where a development involves the construction of additional dwellings to create multi dwelling housing, the existing dwelling (where it is proposed to be retained) shall be renovated to match the colour, material, texture and architectural style of the proposed buildings so as to create a harmonious development.

3.6.6.8 Landscaping and Deep Soil Planting for Multi Dwelling Housing - Zone R2

- a) Multi dwelling housing shall satisfy the following requirements relating to landscaping:
 - i) a detailed landscape design plan shall be submitted by a suitably qualified person with the development application;
 - ii) no more than 30% of the area forward of any building line shall be surfaced with impervious materials;and
 - iii) a minimum of 20% of the total site area shall be available for deep soil planting.

3.6.6.9 Multi Dwelling Housing and Waste

3.6
Low Density Residential Development

3.6.6
Multi Dwelling Housing

DELETE

3.6

Low Density Residential Development

3.6.6 Multi Dwelling Housing

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Management - Zone R2

- a) Multi dwelling housing development shall make provision for individual waste storage for each dwelling, allocated behind the primary and secondary building lines and out of public view, for the following:
 - i) a 140 litre bin; and
 - ii) two (2) 240 litre bins.
- b) Development incorporating more than six (6) dwellings not able to be Torrens Title subdivided under this Plan shall make provision for an appropriately sized communal waste/ recycling bin storage facility that is centrally located and provides convenient access for occupants and collection contractors. Such storage facility shall:
 - i) be located behind the primary and secondary building line;
 - ii) be no more than 25 metres from the street;
 - iii) be covered;
 - iv) contain a hose connection;
 - v) have an impervious floor that is connected to the sewer;
 - vi) be located no closer than 3 metres (in a horizontal direction) from an opening within a dwelling on the site or from the property boundary; and
 - vii) incorporate design and construction (including colours, materials and finishes) that complement the development.
- c) Any bin facility shall be of sufficient size to accommodate the following for each multi dwelling housing:
 - i) a 140 litre bin; and
 - ii) two (2) 240 litre bins.
- d) All waste storage areas shall be appropriately screened from public view.
- e) All bins located within waste/recycling bin storage facility shall be presented to kerbside for collection by a site manager, no earlier than the evening prior to scheduled collection

and returned directly to the communal bin storage area within four hours of collection.

- f) The bin storage waste/recycling facility shall not be located in such a place that requires any bins to be transported through any habitable part of the dwelling to reach the collection point.
- g) Any development containing 20 or more dwellings, and/or when the number of bins proposed cannot be accommodated within 50% of the development's frontage width on collection day, the development shall be designed to accommodate forward-in, forward-out, drive-on vehicular collection for on-site servicing (for the purpose of calculating the minimum area behind the kerb and gutter required for bin placement, each bin shall be provided a clear width of 1.0 metre which allows for a 300mm separation distance either side of each bin).
- h) The distance between a dwelling and the waste disposal point shall be a maximum of 40 metres.

3.6.6.10 Site Services for Multi Dwelling Housing - Zone R2

- a) The location, design and construction of utility services shall satisfy the requirements of the relevant servicing authority and Council.
- b) Adequate provision shall be made available for all essential services (i.e water, sewerage, electricity, gas, telephone, internet and stormwater drainage).
- c) All site services shall be placed underground.
- d) All communication dishes, antennae and the like shall be located to minimise visual prominence.

3.6
Low Density Residential Development

3.6.6
Multi Dwelling Housing

DELETE

- a) Council will consider a development application for Torrens Title subdivision of a site for the purpose of attached dwellings (being the only dwellings in the development) if:
- i) each allotment has direct frontage to a public street;
 - ii) no common property is created;
 - iii) each allotment has a width of 7.5 metres measured between the extended property side boundaries where they intersect with the kerb line; and
 - iv) no battleaxe allotments are created

Note: For the purpose of clause 3.8.6 a) iii), an access handle does not constitute direct frontage to a public street.

Note: Council may release a subdivision certificate for attached dwellings prior to the issuing of the occupation certificate, where the construction of the building has passed the frame stage by the relevant PCA and Council is satisfied that the building will be constructed as per the approved plans.

3.8.7 Subdivision of Multi Dwelling Housing - Zone R2 and R3

- a) For the purposes of the subdivision of multi dwelling housing, all allotments to be created shall be part of a Strata Title Scheme.
- b) Despite 3.8.7 a) Council will consider a development application for Torrens Title subdivision of multi dwelling housing, if each allotment satisfies the following standards:
- i) a minimum depth of 25 metres;
 - ii) all allotments/dwellings within the development have direct frontage to a public street;
 - iii) no common property is created;
 - iv) a minimum width of 7.5 metres measured between the extended

3.8

Residential Subdivision

INSERT NEW NOTE

Note:
On 22 November 2019, Campbelltown Local Environmental Plan, 2015, was amended to prohibit Multi Dwelling Housing in the R2 Low Density Residential Zone. Part 3.8.7 of this DCP continues to apply to subdivision of existing lawful multi dwelling housing developments in R2 zones.

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11.3 Permits and Development Applications for Vegetation Management

Objectives:

- Preserve the amenity, biodiversity and ecology of the City of Campbelltown through the conservation of vegetation.
- Ensure the safety of the public, infrastructure, buildings and structures and key environmental assets is maintained.
- Make clear the process of determining whether or not vegetation management works require approval by Council under the Plan (Exemption Criteria).
- Make clear the assessment criteria which the Council will consider in determining applications for the approval of vegetation management works.

11.3.1 Exemptions

- a) This section of the Plan does not apply to vegetation management carried out for the following purposes:
- i) Any dangerous tree or other vegetation that present immediate imminent risk to human life or property.
Note: Council recommends that documentary evidence including photographs of the dangerous tree or other vegetation is recorded prior to the removal of the vegetation.
 - ii) work ordinarily incidental to the use, operation and management of a lawful development;
 - iii) the maintenance of garden and landscaped areas (e.g hedge trimming), excepting work involving the removal or pruning of a tree, as defined in this Part of the Plan;
 - iv) compliance with any development approved pursuant to Part 5 of the *Environmental Planning and Assessment Act 1979*;
 - v) to protect or maintain existing

Note:
This Part also applies to any vegetation that is planted as part of a landscaping/master plan for an approved development regardless of the size of the vegetation at the time of planting.

Dangerous tree (as defined under the Plan) means a tree that imposes a threat to a property or humans and/or:

- has a substantial stem damage (e.g. more than 50 percent cross-section area stem damage);
- is in extreme declining health or unstable (e.g. more than 50 percent lateral roots damaged/unsound);
- has a split trunk.

DELETE

11.3 Permits and Development Applications for Vegetation Management

- public utilities (associated with the provision of power lines, transmission of electricity, water, gas, electronic communication or the like);
- vi) Crown maintenance pruning as defined under AS 4373-2007 *Pruning of Amenity Trees* (refer to AS 4373-2007 *Pruning of Amenity Trees* for more information on Crown Maintenance Pruning).
- vii) to destroy or remove declared noxious weeds and environmental weeds. Refer to Council's web site at www.campbelltown.nsw.gov.au, for more information on noxious weeds in Campbelltown LGA.
- viii) to transplant field grown trees propagated for sale as advanced specimens growing on land occupied by an approved plant nursery;
- ix) works on the same land parcel, within three (3) metres of the foundation walls (to the edge of the trunk) of an existing approved building or in ground pool;
- x) works on trees or other vegetation within a State Forest or land reserved from sale as a timber reserve under the Forestry Act 1916;
- xi) a tree that Council is satisfied via inspection, arborist report or photograph is dying or dead or dangerous;
- xii) a tree which is approved for removal as part of a DA approval or Part 5 approval under the *Environmental Planning Assessment Act 1979*;
- xiii) any commercial or domestic fruit trees;
- xiv) any Cocos Palm tree that is not registered on Council's Significant

Note:

Exemptions Under Section 11.3.1 of the Plan do not provide defences against prosecution under the National Parks and Wildlife Act 1974. Additional Assessment and/or approval from the Office of Environment and Heritage will be required if a tree or other vegetation:

- is listed as a protected native plant under Schedule 13 of the National Parks and Wildlife Act;
- is listed as a threatened species under the NSW Threatened Species Conservation Act;
- is the habitat of a threatened species;
- forms part of an endangered ecological community.

DELETE

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Tree Register; and

- xv) works carried out by Council or its agents or contractors on land owned by or under the care and control of Council.
- xvi) any other vegetation management work that is 'exempt' under other overriding legislation such as work for the reduction of bushfire hazards and the like
- xvii) To remove African Olives and Camphor Laurel species providing that:
 - The tree does not form part of a curtilage of a heritage item or a curtilage of a heritage conversation area;
 - The tree is not listed on Council's Significant Tree Register; and
 - Where in doubt, the tree species has been confirmed by a suitably qualified arborist/horticulturist.

Note:

The Significant Tree Register lists certain trees within Campbelltown Local Government Area that have been classified as having significant values related to their visual, historic, botanical, cultural, commemorative or other significance as defined by this Register.

The Significant Tree Register is available for view from Council's web site at: www.campbelltown.nsw.gov.au

DELETE

Note: Council recommends that documentary evidence including photographs of the trees which identifies by way of reasonable landmarks the location of the tree to be undertaken prior to the removal of the trees.

- b) Despite clause 11.3.1 a) xvi) Council's Coordinator Horticulture & Open Space shall be consulted prior to the commencement of any vegetation management and/or pruning undertaken by Council, Council's agents or contractors on land owned by or under the care and control of Council.

11.3.2 Who Can Make an Application for a Permit or Development application for Vegetation Management

- a) A vegetation management application (whether for a permit or a DA) shall be made in writing by:

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- i) the owner(s) of the property on which the tree/s is located, or
 - ii) a person with the owner’s written consent;
 - iii) an adjoining owner to prune only overhanging branches over the boundaries of his/her property.
- b) A vegetation management application (whether for a permit or a DA) on a property in a Strata Title Plan shall be made by the owner’s corporation of the Body Corporate.
- c) A vegetation management application (whether for a permit or a DA) on a property in a Community Title Plan shall be made by the Neighbourhood Association.

11.3.3 Do I need to lodge a Permit or a Development Application for the removal/pruning of vegetation on my property?

- a) A permit shall be required for the, cutting down, pruning or removal of less than five (5) trees.
- b) A development application shall be required for the cutting down or removal of :
 - i) Five (5) trees or more; or
 - ii) other vegetation; or
 - iii) a tree(s) that is listed on Council’s Significant Tree Register;
 - iv) a tree and/or other vegetation located on land identified as containing an item of heritage significance or within a curtilage of a heritage item;
 - v) a tree or other vegetation that is contained upon any land identified within a Heritage Conservation Area.
- c) Where a permit was approved by Council for the removal of 4 trees or

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less in the last 5 years on a certain site, any consecutive applications for the removal of any additional trees on the same site, shall be by means of a development application where:

- i) the total number of trees that are the subject of the new proposal;

plus

- ii) the number of trees that were the subject of the previous permit exceeds 4 trees.

11.3.4 Permits for Management of Trees

11.3.4.1 Information Requirements for Permits for Management of Trees

- a) Where the vegetation is causing damage to the sewer, and the damage cannot be easily observed, the applicant shall include written evidence from a licensed plumber outlining the extent of the problem. This shall be in the form of a letter with a report from the plumber.
- b) Where the vegetation is causing damage to a building footing and structure and the structural damage cannot be easily observed, the applicant shall include written evidence from a certified structural engineer outlining the extent of the problem. This shall be in the form of a letter, or a report from the structural engineer
- c) Where the vegetation is causing an adverse medical and/or physiological condition to the owner(s)/applicant(s), the applicant shall provide Council with evidence of an ongoing medical condition from a specialised doctor demonstrating that their condition is caused by the subject tree(s).
- d) A vegetation management permit application for a tree higher than ten (10) metres shall include a written

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statement/report from a qualified arborist who has Certificate AQF Level 3 as per AS4373 (as amended) with public liability insurance. The written statement/report shall provide information on the status/health of the tree in accordance with Appendix 11(Arborist Report) of the Plan.

Note: In certain circumstances, and regardless of the height of the tree, Council may still request the applicant to provide an arborist report before making a decision.

- e) Where applicable, Council may require additional supporting information for a Vegetation Management Permit application, including the following:
 - i) tree survey;
 - ii) native flora and native fauna impact assessment;
 - iii) an Assessment of Significance;
 - iv) details of proposed root barriers; and/or
 - v) survey of property boundary to determine ownership of the tree(s).

11.3.4.2 Matters for Consideration when Determining Permits for Management of Trees

- a) Council shall consider (but not be limited to) the following matters when determining an application for a Permit for Vegetation Management under this Plan:
 - i) The potential impact on the amenity of the surrounding built and natural environments by considering if the tree(s) is:
 - within close proximity from a lawful structure;
 - structurally sound;
 - a danger to life or property;
 - causing structural damage to a

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- structure or sewerage;
- causing health and/or a physiological condition to the owner(s)/applicant(s),
- stressed or diseased or suffering insect damage which cannot be rectified;
- too large for its location;
- threatened species, population or ecological community;
- ii) The amenity of the occupants of a property including but not limited to matters such as:
 - solar access and excessive overshadowing of living areas; and
 - poor health, such as allergies, where specific evidence is provided by an expert in the relevant medical field and a direct causal link between the ailment and the species is reasonably established;
- iii) Existing (or potential for) vehicular or pedestrian traffic hazard in proximity to a roadway, intersection or driveway, where pruning would be an insufficient remedy.
- b) Council shall consider the approval for the pruning of a tree where the branches are:
 - i) dead or diseased; or
 - ii) dangerous and overhanging a dwelling or adjoining property; or
 - iii) causing loss of amenity to the occupants of the property or adjoining properties including but not limited to matters such as excessive overshadowing and solar access to a dwelling.
- c) The pruning of a tree shall be conducted in accordance with the Australian Standard No.4373- *Pruning of Amenity Trees (as amended)*.

Note:
A Native Flora and Native Fauna Assessment Report may be required for the removal of 5 trees or more whether the proposal is lodged to Council under Part 11 Vegetation and Wildlife Management or as part of a DA involving construction works.

11.3.5 Development Applications for Vegetation Management

11.3.5.1 Information Requirements for Development Applications for Vegetation Management

- a) A native Flora and native Fauna Assessment Report prepared in accordance with the Office of Environment and Heritage's Threatened Species Survey and Assessment Guidelines and Field Survey Methods is required to be lodged with the development application where:
 - i) there are proposed direct or indirect impacts on native vegetation or other native fauna habitats;
 - ii) there is a potential impact on threatened species, populations ecological communities or their habitats either directly or indirectly.

Note: Office of Environment and Heritage's Threatened Species Survey and Assessment Guidelines and Field Survey Methods are available on the Office of Environment and Heritage's website.

Note: Council may vary the survey and reporting requirements outlined under Clause 11.2.1 b) in circumstances where sufficient information and justification are provided.

- b) As part of the Native Flora and Native Fauna Assessment, an Assessment of Significance shall be undertaken for each threatened species, population and ecological community which is likely to be directly or indirectly impacted, by the proposal. All Assessments of Significance must be undertaken in accordance with the *Threatened Species Guidelines - The Assessment of Significance* (DECC 2007). These guidelines are available on the Office of

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Environment and Heritage’s website.

- c) Koala Habitat assessments undertaken as part of 11.2.1 b) above shall meet the requirements of SEPP 44 and Council’s Guidelines for Koala Habitat Assessments (Refer to Appendix 4 of Volume 1 of the Plan).

11.3.5.2 Matters for Consideration when Determining Development applications for vegetation management

- a) Council shall consider (but not be limited to) the following matters when determining an application for a development application for Vegetation management under this Plan:
 - i) Matter listed under Section 11.3.4.2 of this Part of the Plan;
 - ii) The potential impact on the amenity of the surrounding built and natural environments by considering:
 - iii) whether the application will have significant impacts upon threatened, species, populations or ecological communities;
 - iv) whether the application involved the removal of hollow bearing trees,
 - v) if the tree(s) have/has implications for biodiversity including the outcomes of any native flora and native fauna assessments and Assessments of Significance;
 - whether the vegetation forms part of threatened species, population or ecological community;
 - whether the vegetation is listed on Council’s Register of Significant Trees; and
 - whether the vegetation is within a curtilage of a heritage item that is listed under Campbelltown LEPs.

DELETE

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Permits and Development Applications for Vegetation Management

Advisory Note 1: Invalid Reasons for Vegetation Management Applications

- a) The following shall not be considered as valid reasons to remove or alter vegetation:-
 - i) The shedding of leaves, bark, sticks and fruit into gutters, downpipes, pools, onto roofs, vehicles, lawns, or gardens etc.;
 - ii) Birds or bats droppings on cars;
 - iii) Minor termite damage which can be successfully treated by other means;
 - iv) To improve street lighting of private property;
 - v) To enhance private views;
 - vi) To reduce minor shading;
 - vii) Minor lifting of driveways and paths by tree roots;
 - viii) To erect a fence;
 - ix) Bushfire hazard control which has not been approved by Rural or NSW Fire Brigades;
 - x) Potential damage to sewer mains unless supported by written expert advice and only where reasonable alternatives are not feasible (e.g. relocation or encasement of main); and
 - xi) Unsubstantiated fears of large trees.

Advisory Note 2: Solar Energy Collectors

- a) While Campbelltown City Council promotes the use of passive solar energy, Council does not support the removal of sound healthy trees solely to improve access to solar energy collectors. Where tree pruning may improve solar capture capacity, Council will consider these applications on individual merit.

DELETE



Figure 11.3.1 - Trees contribute significantly to the environmental and aesthetic values of residential neighbourhood.

11.3 Permits and Development Applications for Vegetation Management

11.3.6 Tree Replacement

- a) Council, depending on the circumstances of the vegetation management application, shall require the applicant to:
 - i) pay a certain fee to enable Council to plant a replacement tree in an appropriate location in lieu of the removed tree; or
 - ii) plant a replacement tree on site that is:
 - of appropriate species;
 - of certain size/height at time of planting; and
 - at the cost of the applicant.
- b) The species, size and height of the replacement tree shall be provided to applicants in writing as part of the condition of the development consent or permit.
- c) One replacement tree shall be planted on site within 28 days of the removal of the subject tree(s) for every tree removed. In this regard, applicants shall provide Council with:
 - i) a letter or e-mail advising Council of the date of the planting of the replacement tree; and
 - ii) a copy of the purchase invoice of the tree, illustrating the species, size and time of purchase.

Note: Fees collected for tree replacement shall be used annually by Council to replace the removed tree(s) in an appropriate location on Australia National Tree Day, or on any other site as decided by Council.



Figure 11.3.2 Tree replacements are essential to balance the requirements for tree removal, and maintain green neighbourhoods.

DELETE

11.3

Permits for Vegetation Management

11.3 Permits for Vegetation Management

Objectives:

- Preserve the biodiversity, ecology, microclimate and landscape amenity of the City of Campbelltown through the conservation of trees and other vegetation
- Minimise the risk of injury to people and damage to property from trees through a formal assessment process
- Provide a consistent framework to assess applications for the removal or pruning of trees and other vegetation and make clear the assessment criteria which Council will consider in determining applications for vegetation management works
- Ensure that trees and other vegetation of high ecological significance and habitat value are preserved across the LGA
- To ensure sufficient compensatory replanting or offsets are specified and undertaken as a component of the approval process for tree and vegetation removal permits.

11.3.1 Introduction

This section declares vegetation to be protected under Part 3 of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (the Vegetation SEPP).

The provisions within this Section of the DCP apply to clearing works within the Campbelltown LGA unless the works:

- 1) Are permitted under another part of the EP&A Act or an Environmental Planning Instrument or Act, or
- 2) Require development consent because a permit cannot be issued under the Vegetation SEPP.

NOTE: This section should be read in conjunction with Council’s **Guide to Tree Clearing on Private Land** and **Guide to Tree Clearing on Public Land**.

11.3.2 Interpretation

In this section words have the following meanings:

Clear ¹	Means to: (a) cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy the vegetation, or (b) lop or otherwise remove a substantial part of the vegetation
Community Land	Has the same meaning as in the Local Government Act, 1993.
Declared Tree	Means a tree that has been declared under section 11.3.4 of this plan.
Declared Vegetation	Means vegetation that has been declared under section 11.3.3 of this plan.

¹ This term is defined in the Vegetation SEPP.

11.3 Permits for Vegetation Management

Native Vegetation	Means any vegetation that is native to New South Wales.
Tree	Means a plant that meets one or more of the following criteria: 1. Has a height greater than 3m, 2. Has a circumference greater than 0.5m when measured 1m from ground level, or 3. Has a branch spread greater than 4m.
Vegetation	Means any plant and includes a tree and includes plants that are dead but does not include marine plants.
Vegetation SEPP	Means State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.

Note:

Under State Environmental Planning Policy (Exempt and Complying Development Codes), a protected tree means a tree that requires a separate permit or development consent for pruning or removal, but does not include a tree that may be removed without development consent under (that SEPP). Accordingly, declared vegetation and declared trees under this DCP are protected trees under that SEPP.

Note:

Clause 7 of the Vegetation SEPP provides that *“a person must not clear vegetation in any non-rural area of the State (including Campbelltown) to which Part 3 applies without the authority conferred by a permit granted by the Council under that Part.”*

11.3.3 Declared Vegetation

The following vegetation is declared vegetation under this DCP section in accordance with Part 3 of the Vegetation SEPP:

1. Vegetation that is wholly or partially located within the mapped extent of a heritage item or heritage conservation area in any environmental planning instrument,
2. Vegetation that form part of an Aboriginal object or is within an Aboriginal place of heritage significance,
3. Trees that are listed in any Significant Tree Register of Council,
4. Trees that are required to be retained or planted as a condition of a development consent issued on or after 1 January 2010,
5. Vegetation that is core or potential koala habitat identified under Council’s Koala Plan of Management,
6. Vegetation that is or contains threatened flora species,
7. Vegetation that is part of an endangered ecological community,
8. Vegetation that is occupied by native fauna, and
9. Hollow bearing trees,
10. Vegetation on land with a slope greater than 20%.

11.3.4 Declared Trees

All trees that are not declared vegetation are declared trees under this DCP section in accordance with Part 3 of the Vegetation SEPP. However, a tree is not a declared tree if it is wholly or partially within the minimum trimming clearances of any overhead power line as identified by the applicable network operator(s) under the Electricity Supply Act, 1995.

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11.3.5 Declared Vegetation Exemptions

A vegetation permit is not required for clearing that is:

1. In accordance with a development consent,
2. Are for the reasonable maintenance of existing landscaped areas (eg hedge trimming) excluding the removal of trees, or
3. Undertaken by, or at the direction of, an emergency services agency as part of their functions under the State Emergency and Rescue Management Act 1989 or any regulation or plan made under that Act.
4. Undertaken by or on behalf of Council in relation to vegetation that is wholly or partially on community land.

11.3.6 Declared Tree Exemptions

A tree permit is not required for clearing that is:

1. In accordance with a development consent,
2. Are for the reasonable maintenance of existing landscaped areas (eg hedge trimming) excluding the removal of trees, or
3. Undertaken by, or at the direction of, an emergency services agency as part of their functions under the State Emergency and Rescue Management Act 1989 or any regulation or plan made under that Act.
4. Undertaken by or on behalf of Council in relation to trees that are wholly or partially on community land.
5. Clearing of any of the species listed on Council's Exempt Species List subject to the following conditions:
 - a) Council being provided with a report from a suitably qualified arborist identifying the species of the tree(s) at least five business days prior to its removal, and
 - b) The clearing does not disturb the soil profile and leaves roots intact in the ground.

Note:

Under the Vegetation SEPP a permit is not required in the following circumstances:

(1) *An authority to clear vegetation is not required under this Policy if it is clearing of a kind that is authorised under section 600 of the Local Land Services Act 2013 (Clearing authorised under other legislation) or under Part 5B (Private native forestry) of that Act. This subclause does not apply to clearing merely because it is a part of or ancillary to the carrying out of exempt development.*

(2) *An authority is not required under this Policy for the removal of vegetation that the council or Native Vegetation Panel is satisfied is dying or dead and is not required as the habitat of native animals.*

(3) *An authority is not required under this Policy for the removal of vegetation that the council is satisfied is a risk to human life or property.*

Note:

The Vegetation SEPP requires that a permit be obtained from the Native Vegetation Panel for certain ecologically significant vegetation. The exemptions in this DCP do not apply in these cases.

Note:

Council has internal procedures to ensure that the objectives of this DCP section are achieved on community land.

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Permits for Vegetation Management

6. Pruning a tree if:
- a) For trees and shrubs greater than 5m in height:
 - i) Pruning is undertaken by a suitably qualified arborist in accordance with Australian Standard AS4373-2007 Pruning of amenity trees and no more than 10 percent of the canopy cover is pruned annually, and
 - ii) The pruning specification prepared under Australian Standard AS4373-2007 is held by the landholder for a period of two years, or
 - b) For pruning of individual branches from any other tree less than 5m in height that overhangs a dwelling, formal driveway or path, where:
 - i) The pruning is to remove the overhanging branches,
 - ii) The pruning does not alter the overall shape of the tree,
 - iii) The branches removed are less than 100mm in diameter at the final cut, and
 - iv) The final cut is at branch collar or appropriate growth point.
7. Clearing a tree that is within three (3) metres of a building that is Class 1 to 9 under the Building Code of Australia. The distance is measured from the foundation wall of the building to the centre of the trunk of the tree.

Note:

Under the Vegetation SEPP a Vegetation Permit cannot be issued in relation to land that is or forms part of a heritage item or that is within a heritage conservation area, or that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the council is satisfied that the proposed activity: is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area. If the vegetation works do not meet these requirements a development application will be required.

11.3.7 Tree Permits Council may issue a tree permit under this clause. A tree permit may authorise the clearing of up to 4 declared trees.

11.3.8 Vegetation Permits

Council may issue a vegetation permit under this clause. A vegetation permit may authorise the clearing of declared trees and/or declared vegetation but not if the works could be considered under a tree permit.

11.3.9 Applying for a Tree Permit or Vegetation Permit

An application for a Tree Permit or Vegetation Permit must be made using Council’s form and must be accompanied by the relevant fee and supporting information identified on that form.

Note:

Certain clearing is permitted under the Rural Fires Act, 1997, with or without approval under that Act. Clearing undertaken under that Act does not require a permit under this DCP section. Council will not issue tree permits for clearing for bushfire hazard reduction. Council will not declare a tree to be a risk to human life or property under the Vegetation SEPP if the only danger posed by the tree is one of bushfire hazard.

11.3 Permits for Vegetation Management

11.3.10 Assessment of Permits

The following matters must be considered as part of the assessment of a Tree Permit or Vegetation Permit:

Planning

- 1) Whether the proposed works are consistent with the objectives of the zone in which the works are being proposed.
- 2) In the case of trees in Council's Significant Tree Register, why the tree was included on that register.
- 3) In the case of trees required by a development consent to be planted or retained, the planning intent of the consent and its conditions.
- 4) For a heritage listed tree or vegetation located on the grounds of a heritage listed property or in a heritage conservation area:
 - a) The impact that the proposed works will have on the heritage significance of the item and its curtilage and amenity and the landscape setting of the surrounding area; and
 - b) The risk the tree poses to any heritage structure.

Environmental Impact

- 5) Biodiversity matters including impacts on:
 - a) Endangered ecological communities,
 - b) Threatened plant species,
 - c) Habitat and food supply for threatened fauna, and
 - d) Preferred koala food trees and whether the permit relates to an area of koala habitat.
- 6) The management or removal of weed species.
- 7) The visual prominence and landscape significance of the vegetation.
- 8) The contribution the vegetation provides to the canopy cover, amenity, environment and landscape of the immediate surrounding area.
- 9) The health, structural condition, growing environment of the vegetation.
- 10) The cumulative impacts of vegetation clearing applications.

Risk

- 11) In the case of trees, the species, age and lifespan of the tree.
- 12) Potential risks to the surrounding built environment by considering whether the vegetation is:
 - a) Causing significant damage to any structure or infrastructure, or
 - b) Reducing solar access by excessive shadowing of living areas.
- 12) The risks of retaining the vegetation in relation to limb drop and trunk failure having

11.3 Permits for Vegetation Management

regard to:

- a) The proximity of any building,
 - b) The likelihood that pedestrians or vehicles will use the land surrounding the tree,
 - c) The likelihood of limb drop or trunk failure, and
 - d) The size of the vegetation.
- 13) The risks of retaining the vegetation in relation to:
- a) Public health matters,
 - b) Blocking or choking a floodway,
 - c) The health of any vulnerable person, where specific evidence is provided by an expert in the relevant medical field and a direct link between the ailment and the species is reasonably established, and
 - d) Traffic safety.
- 14) The slope of the land and whether tree removal will result in slope instability, sediment and erosion issues.

Alternatives and Mitigation

- 15) The opportunities to retain vegetation through the installation of a root barricade or other infrastructure solutions.
- 16) Whether the works proposed are the best way to achieve the stated objectives of the application.
- 17) The opportunity for replacement planting and improved landscaping and environmental outcomes.

The following matters shall not be considered to justify a tree or vegetation permit:

- 1) Removal or pruning of vegetation due to leaf, stick, fruit or bark drop
- 2) Removal of a tree for minor shading
- 3) A perception of risk of vegetation failing that is not substantiated by expert evidence
- 4) Improvement to views

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- 5) Wildlife droppings on cars, buildings or infrastructure;
- 6) Impacts on property values
- 7) Improvement to street lighting on private property
- 8) Removal to improve solar access to solar panels. While Campbelltown City Council promotes the use of solar energy, Council does not support the removal of sound healthy trees solely to improve access to solar energy collectors
- 9) To enable other development to proceed as complying development.

11.3.9 Permit Conditions

Without limiting Council's powers, conditions will generally be imposed on tree and vegetation permits to require:

- 1) The works to be undertaken within a specified time frame
- 2) Compensatory planting to replace removed vegetation or payment of a fee in lieu of planting (refer to Council's Tree Offset Policy)
- 3) Pruning to be undertaken by a suitably qualified and experienced arborist to an approved standard
- 4) Management of waste
- 5) Hours of works
- 6) Securing the site
- 7) Management of impacted fauna
- 8) Replacement of nesting opportunities

**Part 7
MT GILEAD - Addendum**

1.2 Campbelltown LEP Compliance Table

This part of the DCP addresses the requirements of clause 6.3 of the Campbelltown Local Environmental Plan 2015. Any development within the area depicted in Figure 1A must address the requirements outlined in the table below:

CLEP 2015 Clause 6.3 Requirement	Relevant Provision / Control
(a) A staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing.	Development may be undertaken in a single stage (as shown in Figure 1A, staging plan) or in any number of substages provided that development reflects the progressive delivery of road, utility and local infrastructure over the land. Development may be undertaken pursuant to several development applications with an explanation of how this is compatible with the delivery of infrastructure.
(b) An overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.	This infrastructure shall be provided in accordance with Section 3.2 (including, without limitation, consistency with the details in Figures 4, 5 and 6).
(c) An overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain.	All development shall be undertaken in accordance with Section 3.3 (including, without limitation, consistency with the details in Figure 7).

**INSERT AS NEW PAGE 4 INTO PART 7 OF VOLUME 2
(AND RENUMBER ALL FOLLOWING PAGES IN THAT PART)**

CLEP 2015 Clause 6.3 Requirement	Relevant Provision / Control
(d) A network of passive and active recreational areas.	All development shall be undertaken in accordance with Section 3.3 (including, without limitation, consistency with the details in Figure 7).
(e) Stormwater and water quality management controls.	All development shall be undertaken in accordance with the Campbelltown City Council Engineering Design Guide for Development.
(f) Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and in relation to natural hazards, the safe occupation of and the evacuation from, any land so affected.	<p><u>Bushfire</u> All future development is to comply with the NSW Rural Fire Service's Planning for Bushfire Protection. This includes the provision of suitable asset protection zones and appropriate maintenance of vegetated open space areas.</p> <p><u>Flooding</u> All future development is to comply with Council's Engineering Design Guide for development.</p> <p><u>Contamination</u> All future development is to comply with State Environmental Policy No.55 – Remediation of Land.</p> <p><u>Mine Subsidence</u> All future development is to comply with the requirements of the NSW Mine Subsidence Board.</p>

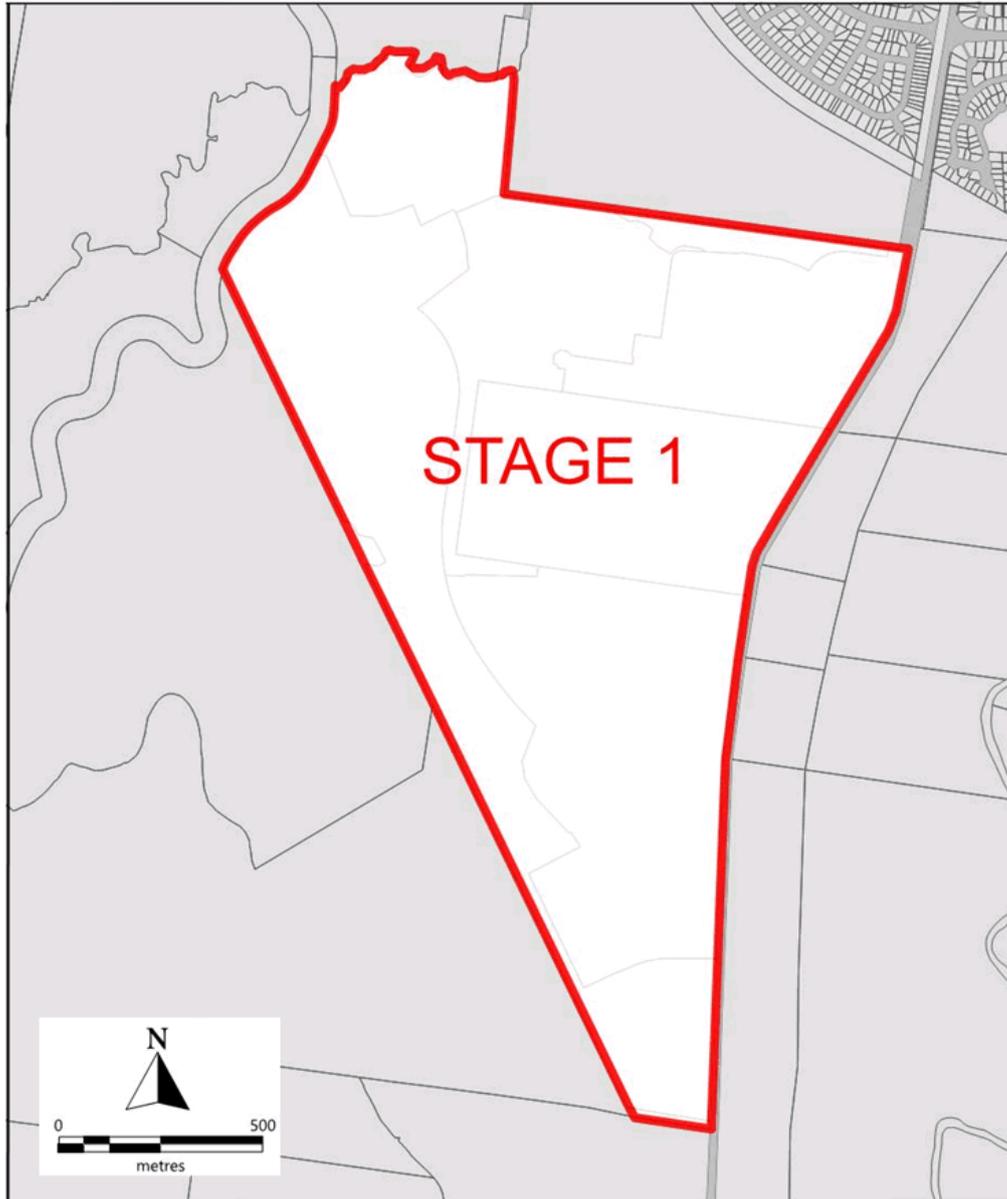
**INSERT AS NEW PAGE 5 INTO PART 7 OF VOLUME 2
(AND RENUMBER ALL FOLLOWING PAGES IN THAT PART)**

CLEP 2015 Clause 6.3 Requirement	Relevant Provision / Control
(g) Detailed urban design controls for significant development sites.	<p>All development must address the matters under Section 3.1 including consideration of the principles provided in Figure 3 and be consistent with low density residential development controls in Volume 1, Part 3.</p> <p>Development in the vicinity of the “One Tree Hill” site shall be undertaken in accordance with Section 3.3 (including, without limitation, consistency with the details in Figure 7) and the objectives of the RU2 Rural Landscape Zone in which it is located.</p> <p>All development shall be undertaken in accordance with Section 3.1 (including, without limitation, consideration of the principles provided in Figure 3).</p>
(h) Measures to encourage higher density living around transport, open space and service nodes.	Any development must locate smaller high density residential types of development around transport, open space and service nodes in accordance with Section 3.4.
(i) Measures to accommodate and control appropriate neighbourhood commercial and retail uses.	Commercial and retail development shall be concentrated in the B1 Neighbourhood Centre within the precinct and must be undertaken in accordance with the objectives of B1 Neighbourhood Centre and Volume 1, Section 6 of the Campbelltown (Sustainable City) Development Control Plan 2015.
(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.	Public facilities and services are to be provided in the B1 Neighbourhood Centre Zone and shall be provided in accordance with Council’s Engineering Design Guide for development.

Note: Unless otherwise specified, a reference to a section or figure is a reference to the corresponding section or figure in this Volume of 2, Part 7 of Campbelltown (Sustainable City) Development Control Plan.

**INSERT AS NEW PAGE 6 INTO PART 7 OF VOLUME 2
(AND RENUMBER ALL FOLLOWING PAGES IN THAT PART)**

Figure 1A: Mt Gilead Staging Plan



**INSERT AS NEW PAGE 7 INTO PART 7 OF VOLUME 2
(AND RENUMBER ALL FOLLOWING PAGES IN THAT PART)**

1.2 PURPOSE OF THIS PART

The purpose of this Part is to identify the planning, design and environmental objectives and controls against which Campbelltown City Council will assess future development applications in Menangle Park.

This Part is also intended to promote high quality urban design outcomes for the release area within the context of environmental, social and economic sustainability.

This part of the DCP addresses the requirements of clause 6.3 of the Campbelltown Local Environmental Plan 2015. Any development within the area depicted in Figure 1A must address the requirements outlined in the table below:

CLEP 2015 Clause 6.3 Requirement	Relevant Provision / Control
(a) A staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing.	Development may be undertaken in a single stage (as shown in Figure 1.1A, staging plan) or in any number of substages provided that development reflects the progressive delivery of road, utility and local infrastructure over the land. Development may be undertaken pursuant to several development applications with an explanation of how this is compatible with the delivery of infrastructure.



Coordinating service delivery in a common trench.

CLEP 2015 Clause 6.3 Requirement	Relevant Provision / Control
(b) An overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.	This infrastructure shall be provided in accordance with Sections 1.7 and 1.8.
(c) An overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain.	All development shall be undertaken in accordance with Section 1.9 and Appendix 1.
(d) A network of passive and active recreational areas.	All development shall be undertaken in accordance with Section 1.9.
(e) Stormwater and water quality management controls.	All development shall be undertaken in accordance with <ul style="list-style-type: none"> - Campbelltown City Council Engineering Design Guide for Development. - Clause 2.18 of Volume 1 of this DCP <i>Work on Land Adjacent to the Upper Canal Corridor Volume 1</i> - Clause 1.11.1

**INSERT AS NEW PAGE 6 INTO PART 8 OF VOLUME 2
(AND RENUMBER ALL FOLLOWING PAGES IN THAT PART)**

CLEP 2015 Clause 6.3 Requirement	Relevant Provision / Control
<p>(f) Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and in relation to natural hazards, the safe occupation of and the evacuation from, any land so affected.</p>	<p><u>Bushfire</u> The development precincts (Figure 1.2) have been informed by the bushfire risks associated with the site. All future development is to comply with the Section 1.12 and the NSW Rural Fire Service’s Planning for Bushfire Protection. This includes the provision of suitable asset protection zones and appropriate maintenance of vegetated open space areas.</p> <p><u>Flooding</u> The development precincts (Figure 1.2) have been informed by the flooding characteristics of the site. All future development is to comply with Council’s Engineering Design Guide for development.</p> <p><u>Contamination</u> All future development is to comply with State Environmental Policy No.55 – Remediation of Land.</p> <p><u>Mine Subsidence</u> All future development is to comply with the requirements of the NSW Mine Subsidence Board.</p>
<p>(g) Detailed urban design controls for significant development sites.</p>	<p>This precinct does not contain any significant development sites.</p>
<p>(h) Measures to encourage higher density living around transport, open space and service nodes.</p>	<p>All development shall comply with the Urban Structure Plan (Figure 1.2).</p>
<p>(i) Measures to accommodate and control appropriate neighbourhood commercial and retail uses.</p>	<p>All development shall comply with the Urban Structure Plan (Figure 1.2).</p>
<p>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.</p>	<p>Public facilities and services are to be provided in the B2 Local Centre Zone and shall be provided in accordance with Council’s Engineering Design Guide for development.</p>

Note: Unless otherwise specified, a reference to a section or figure is a reference to the corresponding section or figure in this Volume 2, Part 8 of Campbelltown (Sustainable City) Development Control Plan.

**INSERT AS NEW PAGE 7 INTO PART 8 OF VOLUME 2
(AND RENUMBER ALL FOLLOWING PAGES IN THAT PART)**

Campbelltown (Sustainable City) Development Control Plan Volume 2 Part 8

7

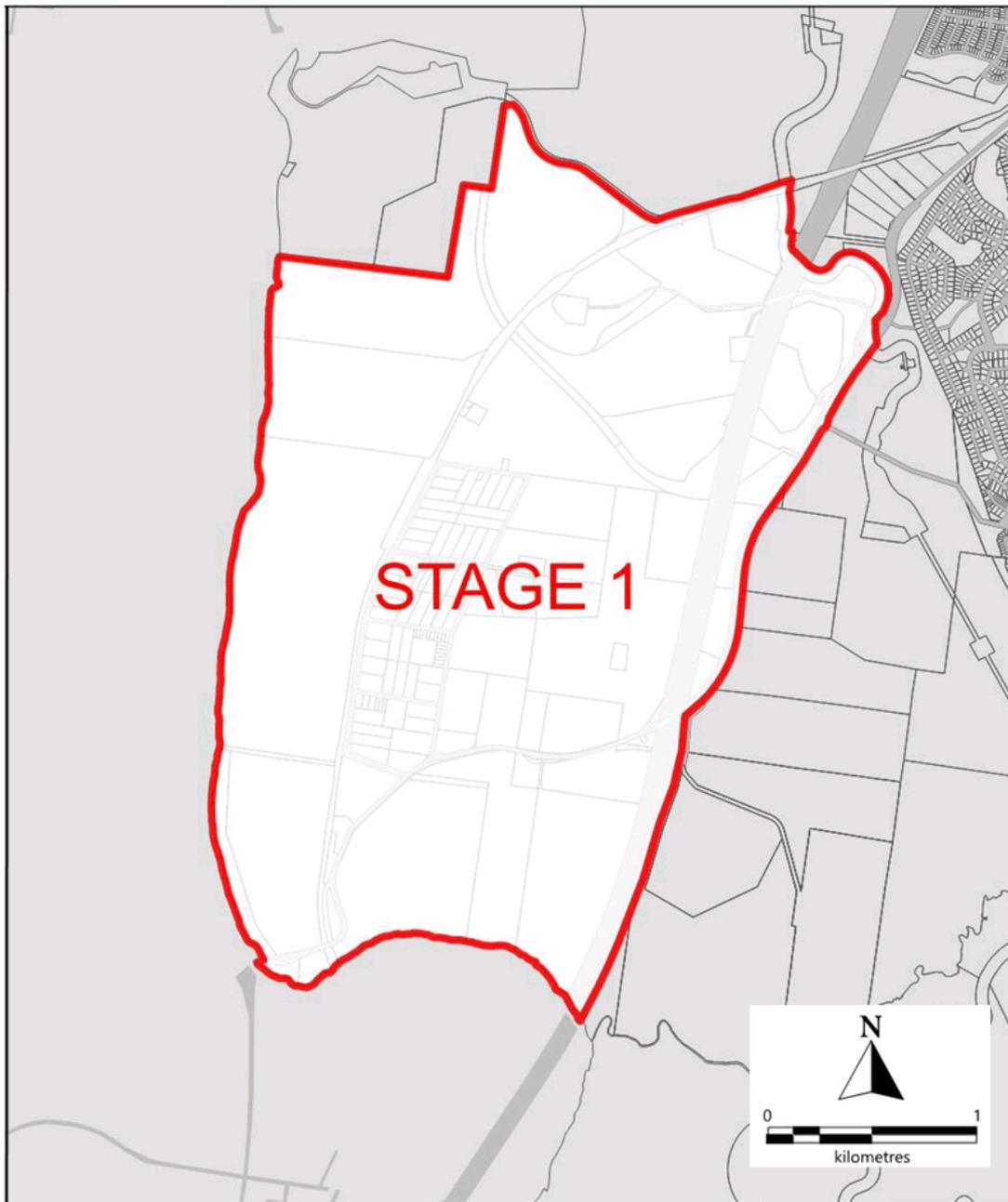


Figure 1.1A: Staging Plan

1.3 RELATIONSHIP TO OTHER PARTS OF CAMPBELLTOWN (SUSTAINABLE CITY) DCP

The controls applicable to development of land within Menangle Park are generally detailed in this Part. When a development control is not specified in this Part, development should be consistent with all other relevant controls of Volume 1 Campbelltown (Sustainable City) DCP. Where there is an inconsistency between Part 7 and any other part of this Development Control Plan, Part 7 applies to the extent of the inconsistency.

Campbelltown City Council Engineering Design Guide for Development applies to development specified in this Part.

1.4 VISION AND OBJECTIVES

Menangle Park will be an attractive residential community set against a natural landscape backdrop. Its historic connections to the Menangle Park Paceway, Glenlee Homestead and the Nepean River will provide important cues in establishing the character of the future residential community.

Menangle Park will provide for a mix of housing types, ranging from mixed use, medium density and small lot housing in and around the town centre through to medium and large lot dwellings elsewhere. Particular care will be taken with the lot layout and siting of dwellings in areas of high visual and environmental sensitivity.

The town centre will be located in the heart of Menangle Park, providing local shops and services, and acting as a focus for community activities. Local employment opportunities will be offered within the Town Centre and the Menangle Park Employment Area. An integrated transport, cycle and pedestrian network will facilitate improved access within Menangle Park and to surrounding areas, particularly the Macarthur Regional Centre and Campbelltown City Centre.

Menangle Park will also play an important role as the Southern Gateway to Campbelltown. Particular consideration will be given to establishing an attractive tree canopy, especially as part of the streetscape, to soften the visual impact of future urban development and respect the earlier rural character of the area.

Key Development Objectives for Menangle Park are:

1. To facilitate urban development that meets environmental sustainability objectives.
2. To ensure all development achieves a high standard of urban and architectural design quality.
3. To promote housing that provides a high standard of residential amenity.
4. To ensure high quality landscaping, particularly within streetscapes.
5. To ensure housing targets are met through the provision of a range of housing types that offer diversity and affordability.
6. To offer opportunities for local employment and business.
7. To create walkable neighbourhoods with good access to public transport.
8. To create a vibrant, successful and attractive town centre.
9. To provide social infrastructure that is flexible and adaptable.
10. To maximise opportunities for future residents to access and enjoy the outdoors.
11. To protect and enhance riparian corridors, wetlands, significant trees and vegetation.
12. To ensure the timely delivery of critical infrastructure.
13. To ensure that conservation of heritage items, and that any development within the vicinity of heritage items takes into consideration the significance of such items.

8.3 New Healthy Food and Drink Policy

Reporting Officer

Executive Manager Community Life
City Lifestyles

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.3 - Ensure that Campbelltown is an inclusive city

Officer's Recommendation

1. That the draft Healthy Food and Drink Policy as attached to this report be adopted.
2. That the next Healthy Food and Drink Policy review date be set at 30 June 2023.

Purpose

To seek Council approval of the draft Healthy Food and Drink Policy.

Report

A briefing was presented to Council on 27 August 2019 to outline the key concepts of a Healthy Food and Drink Policy. Councillor feedback was positive, constructive and included:

1. The importance of not decreasing current food options, but instead on increasing healthy choices.
2. Promoting cultural, food allergy and dietary choice specific options where appropriate.
3. Maintaining affordability of food choices.

Background

Council has been working in partnership with South West Sydney Local Health District since 2017, through the Growing Healthy Kids in South West Sydney Steering Committee and the Change for Campbelltown project, both of these initiatives target reducing childhood obesity.

One of the key drivers of the high levels of childhood and adult obesity in Campbelltown is the availability and consumption of unhealthy foods. In response, Council aims to demonstrate and encourage a healthy food and drink lifestyle for all staff, volunteers and the community through influencing healthier food and drink choices. This policy represents Council's approach to increasing the healthy food choices available through the levels of influence available to it.

Approach

In developing and testing the policy Council has:

1. researched comparable policies, guidelines and frameworks in use by other Councils and government agencies, including the Health Food and Drink Framework in NSW Health Facilities for Staff and Visitors
2. consulted extensively with South West Sydney Local Health District staff on the concept and practicalities of implementing a similar policy
3. consulted with other South Western Sydney government and non-government agencies through the Growing Healthy Kids in South West Sydney Steering Committee
4. consulted with the operators of Alkalizer Café
5. internal consultation with various departments within Council related to facilities, events, procurement and catering.

Next Steps

The Draft Healthy Food and Drink Policy reflects Council's ongoing commitment to improving health outcomes and represents a commitment to incremental change by positioning Council as a lead change agent in encouraging more healthy food and drink options for the community.

Influencing healthy food availability, quality and promotion will be facilitated through the development of Healthy Food and Drink Guidelines which will be provided to key partners to encourage an increase in healthy food and drink options at Council facilities and community events.

Attachments

1. Draft Healthy Food and Drink Policy (contained within this report)

Campbelltown City Council

 CAMPBELLTOWN CITY COUNCIL		POLICY
Policy Title	Healthy Food and Drink Policy	
Related Documentation		
Relevant Legislation/Corporate Plan	Delivery Program 2017-2021 and Operational Plan 2019-2020 Healthy Food and Drink in NSW Health Facilities for Staff and Visitors Framework	
Responsible Officer	Executive Manager Community Life	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To facilitate and encourage a healthy food and drink lifestyle for all staff, volunteers and the community through influencing healthier food and drink choices.

Scope

This policy applies to Council catered meetings and functions, Council owned facilities and events delivered by, or in partnership with Council and events requiring Council approval.

Policy Statement

Council will promote the importance of a healthy and balanced diet in accordance with *The Australian Guide to Healthy Eating* and the *NSW Health Food and Drink Framework* and in accordance with the *Delivery Program 2017-2021 and Operational Plan 2019-2020* by;

Demonstrating healthy food and drink choices at Council catered meeting and functions

- Council will demonstrate best practice by increasing healthy food and drink choices for all Council catered meetings and functions by aiming for 75% everyday food and drink options and no more than 25% are occasional food and drink options.

Promoting and encouraging healthy food and drink choices at Council owned facilities and events delivered by, in partnership with Council or requiring Council approval

- Council will encourage, promote and support increased healthy food and drink choices at Council owned facilities and events delivered by, or in partnership with Council.
- Council will encourage community and commercial event organisers to increase the availability and prominence of healthy food and drink choices at events requiring Council approval.

Campbelltown City Council

Providing clear healthy food and drink guidelines to increase the availability and awareness of healthy food and drink choices.

Council will develop and implement a Healthy Food and Drink Guidelines to support the Healthy Food and Drink Policy.

- Council will engage and work cooperatively with staff, volunteers and the community in the development and implementation of initiatives related to the availability and promotion of healthy food and drink options.
- Council will work with other levels of government to ensure that initiatives related to the availability and promotion of healthy food and drink are planned, funded and delivered in a coordinated and cost effective manner.

END OF POLICY STATEMENT
DOCUMENT HISTORY AND VERSION CONTROL RECORD
Contact for inquiries and proposed changes

Name	Jenny Franke
Position/Section	Director City Lifestyles

Version Number	Revised Date	Authorised Officer	Amendment Details
1.0			

8.4 Investments and Revenue Report - February 2020

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the information be noted.

Purpose

To provide a report outlining activity in Council's financial services portfolio for the month of February 2020.

Report

Investments

Council's investment portfolio as at 29 February stood at approximately \$236m. Funds are currently being managed by both Council staff and fund managers and are in accordance with the *Local Government Act 1993*, Local Government (General) Regulation 2005 and Council's Investment Policy.

All investments are placed with approved deposit taking institutions and no funds are placed with any unrated institutions.

The return on Council's investments whilst continues to outperform the AusBond Bank Bill Index benchmark, may not reach the estimated original budget, which is a direct result of the sluggish economy coupled with financial institutions holding large liquidity in comparison to the rate at which funds are being borrowed, which also impacts interest rates. For the month of January, Council's return exceeded the benchmark by some 89 basis points on an annualised basis.

The portfolio is diversified with maturities ranging up to a five year period in accordance with Council's Investment Policy.

The official cash rate has seen two consecutive cuts of 50 and 25 basis points and now stands at an unprecedented level one quarter of one percent. The ASX200 closed at 6441.20 at the completion of February. This represents an annualised monthly performance result of negative 98 percent ex dividend, the monthly change was negative 8.21 percent. It is important to note that councils are restricted to conservative investments only in line with the

Minister's Investment Order of 17 February 2011 and other relevant legislation including the *Local Government Act 1993* and the *Trustee Act 1925*. Investments in equities are prohibited under the legislation and therefore a benchmark such as the Bank Bill Index is used in line with Council's Investment Policy and the recommendations of the Office of Local Government Guidelines.

Rates

Rates and Charges levied for the period ending 29 February 2020 totalled \$119,658,608 representing 100 percent of the current budget estimate.

The rates and charges receipts collected to the end of February totalled \$83,763,084. In percentage terms 70.7 percent of all rates and charges due to be paid have been collected, compared to 69.9 percent collected in the same period last year.

Debt recovery action during the month involved the issue of 14 Statements of Claim to ratepayers with two or more instalments outstanding and a combined balance exceeding \$1000. Further recovery on accounts with previous action resulted in eight Judgments and seven Writs being served on defaulters that have not made suitable payment arrangements or failed on multiple occasions to maintain an agreed payment schedule.

Council staff continue to provide assistance to ratepayers experiencing difficulty in settling their accounts. This includes the monitoring of 300 ratepayers with a total arrears balance of \$577,207, who have made suitable payment arrangements.

Ratepayers who purchased property since the annual rates and charges notices are issued with a 'Notice to new owner' letter. During the month, 25 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

Sundry Debtors

Debts outstanding to Council as at 29 February 2020 are \$2,105,391 reflecting an increase of \$182,674 since January 2020. During the month, 1249 invoices were raised totalling \$1,183,106. The majority of these are paid within a 30 day period. Those that are not paid within the 30 day period are reflected in the ageing report in attachment 3. Debts exceeding 90 days of age totalled \$497,878 as at 29 February 2020.

Majority of this debt relates to Road and Footpath Restoration totalling \$131,492. A substantial amount is for costs of \$118,390 for NBN installation on various properties within our local government area, this debt was finalised in early March.

Another significant portion relates to Various Sundry Items totalling \$105,805. Majority of this amount are for costs involved of \$15,812 which is outstanding for road and footpath occupancy fees for a development in Broughton Street. The company has entered into a legally binding settlement of \$5271 per month. Payment has defaulted on this account and Council's agents are continuing to work with the debtor.

Public hall hire fees of \$42,613 are a result of debts that have been raised in advance and in accordance with council policy, do not need to be finalised until two weeks prior to function. These invoices have since been reversed due to the closure of public halls throughout the Pandemic.

Debt recovery action is undertaken in accordance with Council's Sundry Debtors Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a statement of transactions is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.

All debts that age by 90 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a seven day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a letter of demand (or letter of intent) providing debtors with at least 14 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to Judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

During the month, nine accounts were issued a letter of demand on Council's letterhead, advising that if the account was not settled or an appropriate arrangement was not made, the account will escalate to formal legal action through Council's agent.

Council's agents were not instructed to issue any legal action for the month.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible.

Attachments

1. Summary of Council's Investment Portfolio February 2020 (contained within this report)
2. Rates and Charges summary and statistics February 2020 (contained within this report)
3. Debtors Summary and Ageing Report February 2020 (contained within this report)

Summary of Council's Investment Portfolio

Portfolio as at 29 February 2020

Product Type	Face Value	% of Total
At Call Deposits	558,479	0.2%
Term Deposits - Fixed Rate	71,706,553	30.4%
Term Deposits - Fixed/Floating	5,000,000	2.1%
Term Deposits - Floating Rate	84,000,000	35.6%
FRN	37,250,000	15.8%
Managed Funds - TCorp	37,395,790	15.9%
Grand Total	235,910,822	100.0%

Total Term Deposits (Fixed and Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AAA	4,810,000	3.0%
AA-	110,775,529	68.9%
A+	6,000,000	3.7%
BBB+	27,121,023	16.9%
Baa1	4,000,000	2.5%
BBB	6,000,000	3.7%
Baa2	2,000,000	1.2%
Total Term Deposits	160,706,553	100.0%

Floating Rate Notes

ISIN	Issuer	Issuer Rating	Maturity Date	Coupon	Face Value
AU3FN0028189	CBA	AA-	17-Jul-20	3m BBSW + 0.90%	\$5,000,000
AU3FN0039160	ME Bank	BBB	9-Nov-20	3m BBSW + 1.25%	\$2,500,000
AU3FN0046769	Newcastle Perm	BBB	26-Feb-21	3m BBSW + 1.10%	\$500,000
AU3FN0051561	Citibank	A+	14-Nov-24	3m BBSW + 0.88%	\$1,000,000
AU3FN0031886	CBA	AA-	12-Jul-21	3m BBSW + 1.21%	\$5,000,000
AU3FN0044269	Credit Union Aus	BBB	6-Sept-21	3m BBSW + 1.25%	\$500,000
AU3FN0034021	Newcastle Perm	BBB	24-Jan-22	3m BBSW + 1.65%	\$1,500,000
AU3FN0046793	Credit Union Aus	BBB	4-Mar-22	3m BBSW + 1.23%	\$3,200,000
AU3FN0051165	Teachers Mutual Bank	BBB	28-Oct-22	3m BBSW + 0.90%	\$2,400,000
AU3FN0053146	RACQ Bank (prev QT Bank)	BBB+	24-Feb-23	3m BBSW + 0.93%	\$1,850,000
AU3FN0046777	NAB	AA-	26-Feb-24	3m BBSW + 1.04%	\$4,000,000
AU3FN0048724	NAB	AA-	19-Jun-24	3m BBSW + 0.92%	\$1,300,000
AU3FN0049730	ANZ	AA-	29-Aug-24	3m BBSW + 0.77%	\$3,500,000
AU3FN0052908	Macquarie Bank	A+	12-Feb-25	3m BBSW + 0.84%	\$5,000,000

Long-Term Credit Rating	Exposure of Entire Portfolio			
	Actual	Minimum	Maximum	Compliant
AA+, AA, AA- and above (or MTB*)	73.1%	40%	100%	Yes
A+, A, A- and above	78.1%	60%^	100%	Yes
BBB+, BBB, BBB- and above	100.0%	100%	100%	Yes
TCorp MTGF and LTGF	0%	0%	20%	Yes
TCorp Hour Glass Cash Fund	15.9%	0%	20%	Yes

Portfolio Return

Council's investment portfolio (excluding At Call Deposits but includes TCorp Cash Fund) provided a weighted average return (running yield) of:

29 February 2020	Monthly Return	Annual Return
Campbelltown City Council – Investment Portfolio	0.15%	2.20%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.08%	1.30%
Performance Relative to Benchmark	0.07%	0.90%

RATES SUMMARY

STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2019	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,811,810.14	66,589,404.67	1,429,456.57	418,695.89	68,390,454.13	47,207,542.72	21,182,911.41	267,276.92	21,450,188.33
BUSINESS	355,656.57	19,586,202.93		32,732.65	19,974,592.15	14,800,043.51	5,174,548.64		5,174,548.64
FARMLAND	165,474.11	540,664.14	678.09	228.45	705,688.61	567,904.39	137,784.22	254,188.22	391,972.44
MINING	0.00	27,902.16		0.00	27,902.16	27,902.16	0.00		0.00
SR - LOAN	278.81	0.00		164.99	443.80	0.00	443.80	396.77	840.57
SR - INFRASTRUCTURE	319,047.27	6,567,820.65		7,232.72	6,894,100.64	4,745,541.26	2,148,559.38	53,035.60	2,201,594.98
TOTAL	\$3,652,266.90	\$93,311,994.55	\$1,430,134.66	\$459,054.70	\$95,993,181.49	\$67,348,934.04	\$28,644,247.45	\$574,897.51	\$29,219,144.96
GARBAGE	891,143.33	22,121,928.48	853,675.27	28,764.61	22,188,161.15	15,389,125.37	6,799,035.78		6,799,035.78
STORMWATER	60,278.75	1,416,637.25		349.30	1,477,265.30	1,025,024.85	452,240.45		452,240.45
GRAND TOTAL	\$4,603,688.98	\$116,850,560.28	\$2,283,809.93	\$488,168.61	\$119,658,607.94	\$83,763,084.26	\$35,895,523.68	\$574,897.51	\$36,470,421.19

Total from Rates Financial Transaction Summary	35,629,311.33
Overpayments	-841,109.86
Difference	0.00

ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	375,000.00
Rate accounts greater than 12 months less than 18 months in arrears	70,279.00
Rate accounts greater than 18 months in arrears	20,123.00
TOTAL rates and charges under instruction with Council's agents	\$465,402.00

RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Mar-19
Rate Notices	50,115	76		109			94						
Electronic - DoH	5,055												
Instalment Notices				48,385			47,825						
Electronic - DoH				5,048			5,040						
Missed Instalment Notices			8,232			6,957							
- Pensioners > \$15.00			716			768							
Notice to new owner	161	39	25	22	20	31	39	25					22
7-day Letters - Council issued			2,358			2,377							
- Pensioners > \$500.00			206			199							
7-day Letters - Agent Issued			617				179						
Statement of Claim	182	22	6	143	34	6	57	14					21
Judgments	46	15	47	9	19	4	42	8					2
Writs	32	27	22	8	20	12	19	7					1
Electronic - eRates & BPAYView	6,162	6,275	6,304	6,487	7,499	7,503	7,516	8,340					5,262
Arrangements	266	229	403	239	515	487	399	300					298

DEBTORS SUMMARY 1 February 2020 to 29 February 2020

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/01/2020	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 29/02/2020	% DEBT RATIO
Corporate Administration	186,334	80,174	85,387	181,121	29.49%
Abandoned Items	1,539	410	410	1,539	0.35%
Education and Care Services	18,710	0	0	18,710	0.98%
Community Bus	0	0	0	0	0.01%
Sportsground and Field Hire	48,700	85,026	12,427	121,299	5.46%
Government and other Grants	823,466	381,067	437,453	767,080	12.87%
Public Hall Hire	154,470	50,619	33,871	171,218	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	94,159	322,323	147,562	268,920	5.63%
Healthy Lifestyles	42,916	61,501	55,623	48,794	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	63,641	38,740	20,167	82,214	1.85%
Pool Hire	31,915	53,561	24,541	60,935	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	137,071	0	5,337	131,734	28.17%
Shop and Office Rentals	34,849	49,013	41,391	42,471	2.17%
Various Sundry Items	320,664	38,940	114,532	245,072	6.42%
Waste Collection Services	0	21,732	21,732	0	6.17%
	1,922,717	1,183,106	1,000,432	2,105,391	100%

AGEING OF SUNDRY DEBTOR ACCOUNTS - 29 February 2020

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	69,389	8,672	1,904	101,156	181,121	152,790
Abandoned Items	0	1,539	0	0	1,539	0
Education and Care Services	0	0	0	18,710	18,710	0
Community Bus	0	0	0	0	0	0
Sportsground and Field Hire	79,523	1,973	786	39,018	121,299	11,633
Government and other Grants	381,067	386,013	0	0	767,080	57,000
Public Hall Hire	66,137	53,509	8,959	42,613	171,218	46,549
Health Services	0	0	0	350	350	350
Land and Building Rentals	242,455	25,584	571	310	268,920	0
Healthy Lifestyles	27,267	4,652	2,239	14,636	48,794	20,044
Licence Fees	30,634	6,110	5,186	40,284	82,214	41,926
Pool Hire	32,714	7,216	20,573	431	60,935	1,221
Private Works	1,189	0	0	1,423	2,612	1,423
Road and Footpath Restoration	0	0	242	131,492	131,734	13,101
Shop and Office Rentals	35,899	421	4,502	1,650	42,471	1,650
Various Sundry Items	16,809	109,293	13,165	105,805	245,072	116,620
Waste Collection Services	0	0	0	0	0	0
	944,405	604,981	58,127	497,878	2,105,391	464,307

8.5 Reports and Letters Requested

Reporting Officer

Director City Governance
City Governance

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.3 - Ensure that Campbelltown is an inclusive city

Officer's Recommendation

That the information be noted.

Report

Attached for the information of Councillors is a status list of reports and letters requested from Council as at 7 April 2020.

Attachments

1. Reports requested listing (contained within this report)
2. Letters requested listing (contained within this report)

Reports Requested effective 7 April 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Delivery			
12.11.19 RM	<p>ORD NM - 11.2 Stormwater Usage</p> <p>That a report be presented to Council on exploring ways and means for the public and private sectors as well as the Council itself to implement stormwater capture, storage, filtration, treatment and its subsequent use.</p>	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	May 2020
10.12.19 WM	<p>ORD NM - 11.2 Grey Water Usage</p> <p>1. That a report be presented on the feasibility of the re-use of grey water within the community.</p>	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	May 2020
City Development			
13.11.18 GB	<p>ORD - 8.3 Household E-Waste Drop Off Event</p> <p>2. That a further report be provided to Council on the future recycling arrangements for e-waste upon confirmation of the completion timeframe for the construction of the Community Recycling Centre.</p>	This report is subject to the time frame of the Community Recycling Centre.	July 2020
09.04.19 WM	<p>ORD - 8.2 Planning Proposal - Ingleburn CBD</p> <p>4. That a further report be provided to Council after the Gateway Determination with public exhibition with the planning proposal a draft Development Control Plan for Ingleburn CBD to be placed on public exhibition with the draft planning proposal.</p>	Gateway determination received from the Department in March 2020.	October 2020

Reports Requested effective 7 April 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
09.04.19 BT	<p>ORD 8.6 Submission Report - Amendment to Campbelltown Sustainable City Development Control Plan (Caledonia Precinct)</p> <p>5. That a further report be submitted to Council in regard to the acquisition of No. 306 Bensley Road, Ingleburn for open space purposes.</p>	To be included in the next amendment to the Contributions Plan.	June 2020
11.06.19 MC	<p>ORD 8.10 Planning Proposal 22-32 Queen St, Campbelltown</p> <p>2. That subject to the Gateway Determination and prior to public exhibition, a further report be presented to Council with a draft development control plan for the site.</p>	Gateway determination received 20 January 2020.	June 2020
06.08.19 GG	<p>ORD 14.1 Campbelltown Design Excellence Panel</p> <p>That a report providing a review of the Panel's operation be provided to Councillors after it has been in operation for 1 year.</p>	First meeting held 26 March 2020.	March 2021
10.09.19 KH	<p>ORD 8.1 Mount Gilead Planning Proposal - Relocation of Proposed Community Hub Building and Additional Permitted Use</p> <p>5. That following an exhibition, a report on submissions be presented to Council.</p>	Exhibition subject to the Gateway determination.	June 2020

Reports Requested effective 7 April 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
10.12.19 MO	<p>ORD 8.1 Campbelltown (Sustainable City) Development Control Plan: Housekeeping Amendments</p> <p>2. That where non-supportive submissions are received during the public exhibition period, a further report be presented to the Council on the outcome of the public exhibition and the response to the submissions.</p>	<p>Was on public exhibition until 21 February 2020.</p> <p>A report has been included for Council, as Item 8.2, in the April 2020 meeting agenda.</p>	April 2020
10.03.20 WM	<p>ORD 8.2 Menangle Park - Draft Planning Proposal</p> <p>4. That following the public exhibition a report on any submissions received be presented to Council.</p>		June 2020
10.03.20 KH	<p>ORD 8.3 Amendment to Campbelltown (Sustainable City) Development Control Plan - Seniors Living Developments</p> <p>2. That following completion of the public exhibition period, where submissions have been received, a further report be provided to Council to consider the submissions prior to the making of the draft amendment.</p>		April 2021
10.03.20 MO	<p>ORD 8.6 Mt Gilead - Draft Planning Proposal</p> <p>3. That should the Minister determine under section 3.3.4(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.</p> <p>4. That following the public exhibition a report on any submissions received be presented to Council.</p>		June 2020

Reports Requested effective 7 April 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Governance			
11.06.19 BG	<p>ORD NM - 11.1 Legal Advice - Standard Contracts</p> <p>1. That legal advice be sought on making amendments, if necessary, to Council's existing standard contract clauses to ensure they are providing the best value and flexibility for rate payers of Campbelltown.</p> <p>2. That a report be presented on the findings and any recommended changes.</p>	<p>Council has engaged an external legal expert to undertake a review of Council's suite of standard contracts.</p> <p>A report has been included for Council, as Item 8.6, in the April 2020 meeting agenda.</p>	April 2020
10.12.19 WM	<p>NM 11.1 - QR Codes on Monuments and Street Signage</p> <p>3. That in addition to street sign plates, the opportunity and feasibility of QR codes or similar electronic internet based information devices to be included on all similar information devices referred to in item No.1, across the Campbelltown LGA, be investigated and reported back to Council for its consideration.</p>		June 2020
11.02.20 WM	<p>ORD 7.2 - Local Government Election Costs</p> <p>2. That Council requests a report that outlines the costs and benefits of universal postal voting.</p>	<p>The Minister for Local Government has indicated that consultation with regard to universal postal voting will commence with the sector in early 2020. Outcomes of that consultation will be included in the report to Council.</p>	June 2020

Reports Requested effective 7 April 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
11.12.18 BM	<p>ORD - 14.4 - Engagement of Architects for Construction of a New Childcare Centre</p> <p>1. That Council approves the engagement of the preferred Architects based on their fee proposal submitted to Council – subject to legal confirmation that the negotiated contract terms are satisfactory</p> <p>2. That the scope of works and risk mitigation strategies are undertaken in accordance with this report and within the cost estimates</p> <p>3. That a further report be submitted to Council once a Development Approval has been obtained consistent with the analysis contained in this report.</p>	<p>Council has engaged the architect and commenced Stage one of the scope works.</p> <p>Stage one has been completed and Stage two is now in progress.</p>	May 2020
09.07.19 KH	<p>ORD NM 11.1 Reimagining Campbelltown</p> <p>1. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of installing at appropriate locations electric car charging stations.</p> <p>2. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of energy- generating footpaths.</p>	<p>1. The team is investigating with a report on electric car charging stations expected to be presented to Council in May 2020.</p> <p>2. A report on energy generating footpaths was prepared and presented to Council at the November 2019 meeting.</p>	May 2020
12.11.19 BM	<p>ORD NM 11.3 Coffee Cup Recycling</p> <p>That a report be presented to Council investigating options, in collaboration with local business owners, for the provision of takeaway coffee cup recycling along Queen St.</p>	<p>A report is expected to be presented in May 2020.</p>	May 2020

Reports Requested effective 7 April 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
10.03.20 BM	ORD 8.12 Latest Findings on Climate Change 1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.		November 2020
City Lifestyles			
10.03.20 WM	NM 11.1 - Flag Raising Day That a report be presented on the feasibility of a flag raising day for the combined Pacific Community.	Consultation planned to commence in early April.	May 2020
General Manager			
08.10.19 MO	ORD NM 11.2 Digital Advertising in Shopping Precincts 1. That a report be presented to Council that explores the opportunities for digital advertising in public locations such as shopping centres to regularly promote Council's activities and programs. The report should focus on key shopping precincts including Macarthur Square, Campbelltown Mall, Glenquarie Town Centre and Minto Marketplace and any other appropriate locations, assessing costs, feasibility of producing marketing material and any other operational benefits or implications.	A Creative Marketing Specialist commences in January 2020 and will undertake the investigations so a report can be presented.	June 2020
10.12.19 RM	ORD 8.22 Western Parkland City Overseas Study Tour 1. That the Mayor and General Manager be authorised to attend the 2020 City Deal Study Tour to the United Kingdom and Amsterdam. 2. That a full report be presented to Council.	The investment tour was unable to occur due to inability to facilitate mutual availability outside of budget estimates and the Minister's parliamentary commitments. [This item will be removed after the April 2020 meeting.]	

Letters requested effective 7 April 2020

*Date of Decision *Mover	Action Item	Comments / updates
City Development		
11.06.19 KH	<p>ORD 8.11 Proposed Biodiversity Certification Process Mount Gilead Stage 2</p> <p>3. That a letter be sent to the Department of Planning and Infrastructure noting our previous stated objections to the state Governments treatment of Beulah and Noorumba reserves and seek commitment that future bio banking sites will remain accessible to local wildlife populations.</p>	<p>Letter sent on 3/10/2019 to the Department of Planning and Industry and Environment.</p> <p>A follow up letter was sent on 26/3/2020 to the NSW Department of Planning, Industry and Environment.</p>
12.11.19 GB	<p>ORD NM - 11.1 Development Applications</p> <p>1. That representations be made to the Office of Local Government NSW, the Minister for Local Government, the shadow Minister for Local Government, the Minister for Planning and the shadow Minister for Planning expressing the Council's and the communities' frustration with the NSW Government's decision to remove the powers of determination for development applications away from elected councillors who represent their community.</p> <p>5. That Council writes to the Local State Members of Campbelltown and Macquarie Fields seeking their support on bringing decision making powers back to Council.</p>	<p>Letters sent on 6/2/2020 to the Hon Shelley Hancock MP, the Hon Rob Stokes, the Hon Adam Searle MLC, Anoulack Chanthivong MP and Greg Warren MP.</p> <p>A response was received on 13/2/2020 from Anoulack Chanthivong MP and was included in the March 2020 agenda.</p> <p>A letter to Anoulack Chanthivong MP from Tim Hurst, Deputy Secretary, Local and Regional Planning representing the Hon Rob Stokes MP, Minister for Planning and Public Spaces was forwarded across to Campbelltown Council on 11/3/2020 and has been included in the April 2020 agenda.</p>
11.02.20 MO	<p>ORD 8.3 - Result of Pre-Gateway Review - 71 St Andrews Road, Varroville</p> <p>3. That Council reaffirms by writing to the department its original resolution to not support the draft planning proposal submission to Gateway determination.</p>	<p>Letter sent on 25/2/2020 to the Department of Planning Industry and Environment and has been included in the April 2020 agenda.</p>

8.6 Legal Advice - Standards Contracts

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the Request for Tender documents and standard suite of contracts are updated in accordance with those actions detailed in Item 3 of this Report.

Purpose

To report to Council with respect to obtaining legal advice on amending standard contracts used by Council staff.

History

Council at its meeting held 11 June 2019 resolved:

1. That legal advice be sought on making amendments, if necessary, to Council's existing standard contract clauses to provide for flexibility in tender contracts.
2. That a report be presented on the findings and any recommended changes.

Report

Legal Advice

Council engaged an external legal services provider to review and update the existing Request for Tender documents and standard contracts used by Council staff. Those services have resulted in a revised set of tender documents and standard suite of contracts designed to be more user-friendly and mitigate risk.

In order to maintain transparency and equality amongst tenders, any amendments to specifications during the open tender process requires an addendum to be issued to all tenderers.

In accordance with Clause 178 of the Local Government Regulations, the Request for Tender document allows a Tenderer to vary their Tender prior to contract award by way of explanation or clarification or by correcting a mistake or anomaly, however any variation must not alter the original tender.

If a Tenderer has additional terms to protect their business requirements and request Council's standard contract to be varied prior to awarding, the relevant Director within Council has the delegation to approve such amendments. Once the approval has been received, Council liaises with an external legal services provider to carry out the proposed amendments, and then forward to the signing officer for signature and on forwarding to the contractor. This process provides an appropriate level of flexibility regarding amending contracts where necessary and ensures that accountability and consistency in contracting is maintained.

Flexibility Strategies for Tender Process

Council has options available to allow for some flexibility during the tender process:

- Early Contractor Involvement (ECI) is a two stage process, in which organisations are shortlisted following a Request for Expression of Interest. Shortlisted organisations review and challenge the Request for Tender documents, allowing the opportunity for alternatives/innovation they believe could better improve the project outcomes and cost saving solutions, resulting in less variations as there is cost certainty and could improve communications between Council, designer and contractor. ECI also allows both Council and tenderers to reduce the operational risk of the project through robust document analysis and by identifying and appropriately allocating risks while in the procurement phase of the project.

ECI requires time commitment from the evaluation panel and internal staff as well as a commercial facilitator and probity advisor.

- the Request for Tender documents allow a Tenderer to submit a Non-Conforming Tender, only if the Tenderer has submitted a confirming Tender. A Non-Conforming tender is a tender that does not comply with a requirement of the Conditions of Tendering or it contains qualifications, assumptions, or conditions which are inconsistent with or in conflict with the Contract or with any significant constraints or restrictions set out in Scope of Works/Services.

Council may reject or otherwise not consider, evaluate or otherwise consider; or accept any Tender which is a Non-Conforming Tender.

- the Request for Tender documents allow a Tenderer to nominate amendments (in a non-conforming tender) to or departures from the terms of the Contract and any subsequent reduction in the tendered price.
- the standard suite of contracts includes a termination for convenience clause provision so that Council can terminate the Agreement at any stage.

Summary of findings and recommended changes

Document	Findings	Recommended Action
Request for Tender	Some clarification is required in the Conditions of Tender and Returnable Schedules do not read to Conditions of Tender and evaluation criteria.	<ul style="list-style-type: none"> • Amend RFT documents to ensure consistency. • Include additional provisions in the Conditions of Tender in relation to: <ul style="list-style-type: none"> ○ the status of tenders, making clear that no contract is formed with a tenderer unless and until the specified form of Contract is executed; ○ 'Information Documents' which cannot be relied upon by tenderers; ○ the requirements for Conforming Tenderers and the definition of a Non-Conforming Tender; ○ discrepancies, errors and omissions in the tender documents; ○ Council's discretion in the tender process; and ○ tenderers bearing their own costs in relation to the tender process and not having any claim against Council in relation to the process. • Amend returnable schedules as follows: <ul style="list-style-type: none"> ○ insert a Form of Tender to the effect that the tenderer understands and accepts the terms and conditions of the tender documents. ○ insert returnable schedule to identify recent/similar contracts from the last 5 years. ○ amend 'Capacity' Returnable Schedule to expand what information is required to be provided by the Tenderer to show that the Tenderer has the capacity to carry out the works/services. This should enable Council to obtain further information regarding Tenderer capacity and to identify any issues with

Document	Findings	Recommended Action
		<p>availability of Tenderer resources.</p> <ul style="list-style-type: none"> ○ amend 'Insurance' Returnable Schedule so that the Tenderer provides a confirmation that it can meet the insurance requirements in the Contract. ○ amend 'WHS' Returnable Schedule to insert a more detailed WHS questionnaire and accreditation with Conserve, Council's online contractor safety and risk management system service provider. ○ amend 'Conflict of Interest' Returnable Schedule to enhance the Conflict of Interest declaration ○ amend 'Proposed Departures' Returnable Schedule to make clear that it is only to be included in Non-Conforming Tenders, with Conforming Tenders not to contain any departures or qualifications or exclusions. ○ insert 'Modern Slavery Requirements' Returnable Schedule to include a questionnaire on compliance with requirements of the <i>Modern Slavery Act 2018 (Cth)</i>
<p>Standard Suite of Contracts other than Standing Offer Deed</p>	<p>Amendments required to the following clauses in the Agreement:</p> <ul style="list-style-type: none"> ● Instrument of Agreement ● Definitions ● Latent Conditions ● Extension of Time ● Variations ● Performance Reviewing Meetings ● Reporting Requirements ● Work Health and Safety ● Indemnities ● Payment ● Termination for Convenience ● <i>Modern Slavery Act</i> ● Electronic Execution 	<ul style="list-style-type: none"> ● Council not attach the Contractor's offer that was made in the tender process as 'Annexure A' to the Agreement as this may contain conflicting terms to the terms of the Agreement. ● Amend latent conditions clause to clarify whether the Contractor bears the risk of site conditions, or is entitled to a deemed variation if it encounters unexpected site conditions. ● Include a more robust mechanism for issuing Extensions of Time in as the existing mechanism was fairly

Document	Findings	Recommended Action
	<p>In addition, there have been recent amendments to the <i>Building and Construction Industry Security of Payment Act (1999)</i> which now need to be addressed within the construction suite of standard contracts.</p>	<p>broad.</p> <ul style="list-style-type: none"> • Amend variations regime to allow for oral instructions by the Contract Manager for urgent works. • Clarifying performance review meeting and reporting requirements to be provided at no additional cost to Council. • Amend WHS clause to widen the Contractor's obligations in relation to WHS. • Amending Indemnity clause to widen the indemnities that the Contractor provides to Council. • Amend payment provisions in line with amendments to the <i>Security of Payments Act</i> in October 2019. • Including a termination for convenience clause provision so that Council can terminate the Agreement at any stage. • Include Modern Slavery Law compliance clause. • Include a clause consenting to use of an electronic signature to execute agreement
<p>Standing Offer Deed</p>	<p>There is a lack of clarity regarding the operation of the panel and the manner in which requests of quotations are issued.</p> <p>The Deed requires amendments required to the following clauses:</p> <ul style="list-style-type: none"> • Instrument of Agreement • Application of Deed • Process • Latent Conditions • Extension of Time • Variations • Reporting Requirements • Work Health and Safety • Payment • Indemnities • <i>Modern Slavery Act</i> • Termination for Convenience • Electronic Execution 	<ul style="list-style-type: none"> • Clarify the term of the Panel Member's appointment to the Panel. • Clarify that Council makes no representations as to the specific number of Requests for Quotations or Orders during the Term. • Clarify the process for submitting a quotation in response to a Request for Quotation. • Clarify the manner in which quotations will be evaluated by Council in 'Process' clause • Amend latent conditions clause to clarify whether the Contractor bears the risk of site conditions, or is entitled to a deemed variation if it encounters unexpected site conditions. • Include a more robust mechanism for issuing Extensions of Time as the

Document	Findings	Recommended Action
		<p>existing mechanism was fairly broad.</p> <ul style="list-style-type: none"> • Amend variations regime to allow for oral instructions by the Contract Manager for urgent works. • Clarifying performance review meeting and reporting requirements to be provided at no additional cost to Council. • Amend WHS clause to widen the Contractor's obligations in relation to WHS. • Amend payment provisions in line with amendments to the <i>Security of Payments Act</i> in October 2019. • Amending Indemnity clause to widen the indemnities that the Contractor provides to Council. • Include Modern Slavery Law compliance clause. • Including a termination for convenience clause provision so that Council can terminate the Agreement at any stage. • Include a clause consenting to use of an electronic signature to execute agreement

Attachments

Nil

8.7 Minutes of the Audit Risk and Improvement Committee meeting held 25 February 2020

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Officer's Recommendation

1. That the minutes of the Audit Risk and Improvement Committee held 25 February 2020 be noted.
 2. That Council thanks Mr Robert Rofe, for 10 years of service, as an independent member on the Audit Risk and Improvement Committee.
-

Purpose

To seek Council's endorsement of the minutes of the Audit Risk and Improvement Committee meeting held 25 February 2020.

Report

Resignation of Mr Robert Rofe

Council was advised that Mr Robert Rofe tendered his resignation as an independent member from the Audit Risk and Improvement Committee. Council resolved on 19 October 2010 to establish an Audit Risk and Improvement Committee and Mr Rofe was appointed as one of two founding independent members.

Mr Rofe was a respected member of the Audit, Risk and Improvement Committee, sharing his years of knowledge and experience. Mr Rofe was a former General Manager of Camden Council and has served on numerous boards including Macarthur Credit Union and is still currently serving on My Gateway Traineeship.

Council thanks Mr Rofe for his service and helping Campbelltown Council.

Minutes of the Audit Risk and Improvement Committee - 25 February 2020

Detailed below are the recommendations of the Audit Risk and Improvement Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration.

Reports listed for consideration**6.1 Internal Audit Progress Report on 2019-2020**

That the Committee receive and note the progress report on the 2019-2020 Audit Plan.

6.2 Fraud Control Reviews - Procurement and Contracts Compliance

That the Committee receive and note the Fraud Control reviews - Procurement and Contracts compliance.

6.3 Developer Contributions - Section 7.11 Review

That the Committee receive and note the Developer Contributions – Section 7.11 review.

6.4 2019-2020 Annual Engagement Plan

That the information be noted.

6.5 Business Excellence Activity Report

That the information be noted.

6.6 Demo on Solv and PULSE

That the Committee note the information contained in this report.

6.7 Update on ERM

That the Committee note the information contained in this report.

6.8 Outstanding Actions

That the information be noted.

Attachments

1. Minutes of the Audit Risk and Improvement Committee held 25 February 2020 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Audit Risk and Improvement Committee Meeting held at 4.00pm on Tuesday, 25 February 2020.

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Minutes of the Audit Risk and Improvement Committee Meeting held on 25 February 2020

Present	Mr Bruce Hanrahan - Independent Member (Chairperson) Mr Robert Rofe - Independent Member Mr Jim Mitchell - Independent Member Councillor Warren Morrison – Elected Council Representative
In attendance	Ms Lindy Deitz - General Manager Mr Sam Helweh - Internal Auditor Mr Phu Nguyen - Director City Governance Mr Jim Baldwin – Director City Development Ms Corinne Mears - Executive Manager Corporate Services and Governance Mr Fletcher Rayner – Executive Manager Urban Release & Engagement Ms Somaiya Ahmed - Director, Financial Audit Services - Audit Office of NSW Mr Ali Amjad - Audit Leader – Audit Office of NSW Ms Cathy Gavin - Senior Financial Accountant Mr Warren Kear - Risk Coordinator Ms Melinda Champion - Senior Business Excellence Officer Ms Erin Austin - Executive Support

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by the Chairperson Mr Bruce Hanrahan.

2. APOLOGIES

Nil

3. CONFIRMATION OF MINUTES**3.1 Minutes of the Ordinary Meeting of the Audit Risk and Improvement Committee held 26 November 2019**

Committee's Recommendation: (Mitchell/Morrison)

That the information be noted.

4. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

5. GENERAL MANAGER - VERBAL UPDATE

The General Manager provided the Committee with an update covering:

- The Councillors and Executive Group attended a strategic planning day. The day outlined Council's achievements and priorities for the year ahead. This also provided an opportunity to review the four years of term and focus on the strategic direction of the city.
- Reimagining Campbelltown – a master planning project of Campbelltown CBD that also covers Leumeah to Macarthur is nearing completion, with a report expected to be presented to Council shortly for their endorsement. The General Manger noted the high levels of engagement from the community and key stakeholders with this project.
- The Local Strategic Planning Statement (LSPS) was endorsed by Council at an Extraordinary meeting in February and has been submitted to Greater Sydney Commission (GSC). The LSPS is Council's plan for its community's social, environmental and economic land use needs over the next 20 years. It provides a policy and spatial context and direction for land use decision making within Campbelltown LGA.

The GM gave a operational update to the Committee:

- Recent new staff appointment of Manager - Project Management Office. This position is a new capability to provide support and guidance to the organisation so that projects are managed in accordance with a consistent and appropriate approach. The position will work in partnership with business areas, project teams, stakeholders and sponsors to ensure expectations are met and projects are delivered on time, on budget and to quality specifications. The role will build alignment of operational planning processes including IP&R, budgeting and resources.
- Council meetings are now being livestreamed with the Ordinary meeting held on 11 February 2020 being the first to be accessed online.

6. REPORTS

6.1 Internal Audit Progress Report on 2019-2020

Purpose

To provide the Committee an update on the progress of the internal audit work undertaken in accordance with the approved 2019-2020 Audit Plan.

Officer's Recommendation

That the Committee receive and note the progress report on the 2019-2020 Audit Plan.

Committee's Recommendation: (Rofe/Mitchell)

That the Committee receive and note the progress report on the 2019-2020 Audit Plan.

6.2 Fraud Control Reviews - Procurement and Contracts Compliance

Purpose

To report on the Fraud Control reviews - Procurement and Contracts compliance which forms part of the 2019-2020 Audit Plan.

Officer's Recommendation

That the Committee receive and note the Fraud Control reviews - Procurement and Contracts compliance.

Committee's Recommendation: (Rofe/Hanrahan)

That the Committee receive and note the Fraud Control reviews - Procurement and Contracts compliance.

6.3 Developer Contributions - Section 7.11 Review

Purpose

To report on the Developer Contributions – Section 7.11 review which forms part of the 2019-2020 Audit Plan.

Officer's Recommendation

That the Committee receive and note the Developer Contributions – Section 7.11 review.

Committee's Recommendation: (Rofe/Mitchell)

That the Committee receive and note the Developer Contributions – Section 7.11 review.

6.4 2019-2020 Annual Engagement Plan

Purpose

To provide the Committee with the Annual Engagement Plan as provided by the Audit Office of NSW for the period ending 30 June 2020.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Hanrahan/Morrison)

That the information be noted.

6.5 Business Excellence Activity Report

Purpose

To provide the committee with an update on continuous improvement activities for 2020 by the Business Excellence Team in either a leading or partnering role.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Rofe/Mitchell)

That the information be noted.

6.6 Demo on Solv and PULSE

Purpose

To provide the Committee with an understanding of the new reporting software, SolvSafety - Incident Reporting, Injury and Safety Management System and PULSE - Risk Management Software.

Officer's Recommendation

That the Committee note the information contained in this report.

Committee's Recommendation: (Hanrahan/Rofe)

That the Committee note the information contained in this report.

6.7 Update on ERM

Purpose

To provide the Committee with an update on the risk assessment workshops.

Officer's Recommendation

That the Committee note the information contained in this report.

Committee's Recommendation: (Morrison/Mitchell)

That the Committee note the information contained in this report.

6.8 Outstanding Actions

Purpose

To ensure the Committee is aware of all outstanding actions and all completed actions.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Mitchell/Rofe)

That the information be noted.

7. GENERAL BUSINESS

- The Committee was provided with a brief overview of Council's major projects:
 - Centre of Excellence (CoE) – will be a centre of sports and health excellence. The precinct will promote sporting participation, education, health and wellbeing in a community hub model. A federal government grant contributed to the CoE to build an elite sports facility. The CoE is also a partnership with Western Sydney University who are providing the sports fields along with a dedicated learning and research space where students will be able to get practical experience. The CoE is almost ready for DA determination and once approved will go out to tender.
 - Billabong Parklands – the project is to provide recreational water play facilities at Apex Park, Bradbury. The inspiration for the Billabong has been taken from the Dharawal National Park and will provide a place where members of the community and visitors to the area come together. The Billabong is being funded under the Western Sydney City Deal Liveability Program, with additional funding provided by Council.
- The Committee questioned how council avoid conflicts of interest in regarding planning matters. The Director of City Development advised that larger or controversial Council projects are referred to an independent assessment. There is an opportunity to utilise a panel of planners or an independent contract. Council staff organise any reporting to Council, however the Local Planning Panel (LPP) is the consent authority for any planning matters that Council are undertaking. The Director of City Development noted that Council have no powers for development assessment, Council staff can approve DAs under delegation of the General Manager however on matters where a high number of objections have been received then the application is referred to the LPP.
- Independent member, Robert Rofe, advised the Committee that he has resigned from the Audit, Risk and Improvement Committee. Robert passed on his best wishes for the Committee and Council for the future. The Chair, Mr Bruce Hanrahan on behalf of the committee expressed his thanks to Robert for his 10 years of service and sharing his knowledge and experience with the Committee. The General Manager, passed on her appreciation to Robert for his time, investment and feedback over the years.

The next meeting of the Audit Risk and Improvement Committee will be held Tuesday 19 May 2020 at 4.00pm at the Council Chambers, Level 3, Campbelltown City Council.

Bruce Hanrahan

Chairperson

Meeting Concluded: 5.22pm

8.8 Draft Reimagining Campbelltown City Centre Masterplan

Reporting Officer

Director City Growth
City Growth

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

Officer's Recommendation

1. That Council endorse the draft Reimagining Campbelltown City Centre Masterplan for public exhibition for a period not less than 28 days.
2. That a further report be presented to Council at the completion of the public exhibition period detailing outcomes of exhibition.

Purpose

To provide Council an update on the progress of the Reimagining Campbelltown City Centre Masterplan, and seek endorsement of the draft document for public exhibition.

History

South West Sydney is experiencing unprecedented population growth. The Greater Sydney Commission projects that over the next 20 years, Sydney's Western Parkland City will need to accommodate a population of more than 1.5 million people. This growth is fuelled by significant government and private sector investment in Western Sydney including the new Western Sydney Airport; the development of the neighbouring Aerotropolis and the surrounding city-shaping and city-serving infrastructure. Campbelltown City Centre, as the metropolitan centre serving the Macarthur region and beyond, will potentially serve a regional population of over 800,000 people by 2040.

To support this growth in the Macarthur region, Campbelltown City Centre's future economy and built-form will need to be significantly different to what it is today. By taking decisive action on planning our City Centre now, we can structure this growth to transform our City into a prosperous and sustainable one, while respecting our important environmental, cultural and heritage assets.

Reimagining Campbelltown City Centre Phase 1 commenced in late 2017 and focused on setting out the foundations for reimagining Campbelltown City Centre in acknowledgement of the key strategic centre's position as a Metropolitan Cluster Centre, servicing the broader Macarthur region and areas beyond, and boasting existing connections to major rail, road and significant regional community infrastructure.

Phase 1 of Reimagining Campbelltown City Centre was a decisive step towards a more positive future. Phase 1 established:

- an understanding of the twenty-year growth challenge
- the direction for a new approach – not business as usual
- a vision for Campbelltown's City Centre
- six strategic growth pillars
- a "first cut" of commitments for the City to underpin the pillars and set the direction for the master plan.

Phase 2 of Reimagining Campbelltown City Centre produced the attached draft high-level Master Plan for the study area (Leumeah, Campbelltown and Macarthur Centres) and the LGA-wide Economic Development Strategy.

Report

Phase 2: Reimagining Campbelltown City Centre Master Plan has adopted a game-changing approach to planning for growth and prosperity. Underpinned by a people-centred perspective, it brings together an evidence-based methodology, with an understanding of the importance of place to unlock the potential of our City Centre.

Study Area

The Master Plan applies to Campbelltown-Macarthur, the Metropolitan Centre for the south west, and extends to include Leumeah due to its regional role as the hub of sports and events and the home of Campbelltown Stadium. The study area was determined following consideration of:

- the initial investigation area defined in Phase 1
- major physical infrastructure such as roads and the rail line
- redevelopment opportunities, challenges and pressures in accordance with key directions of the Region and District Plans
- a scale comparison of the City Centre and CBD areas of metropolitan centres across Greater Sydney including Sydney, Parramatta, Liverpool and Penrith
- eight to 10 minute (600-800m) walkable catchments from each of the three train stations
- identification of existing areas which will not be subject to major change as part of the Master Plan – specifically recently completed low-medium density neighbourhoods.

Due to the enormity of the scale of the Campbelltown City Centre study area, a strategic approach was taken to the master planning exercise.

Evidence-Based Approach

The Master Plan considers the value of both economics and place, and seeks to support decisions made in the City Centre with evidence based on both of these strategic drivers. The place lens ensures we identify and celebrate our unique physical assets. The economic lens ensures we leverage our place assets and investment for a more prosperous future.

The Master Plan employs two types of indicators to inform the metrics for measurement: Lag metrics to inform the baseline (existing) conditions of the City Centre and to monitor implementation and Lead metrics to measure the Master Plan to inform decision-making. They represent data that is able to be captured from master planning and therefore include assumptions to inform outcomes. With this data, we are able to benchmark where we are now, and the change that can be effected by the implementation of the Master Plan. Over time, we will then monitor how growth and change in the master plan are progressing.

Informed by an evidence-based methodology, the Master Plan has identified insights to unlock future potential and maximise the benefits of investment, including:

1. The City Centre has potential capacity to support four times the projected commercial floor space demand over the next 20 years
2. The scale of the City Centre and its latent capacity means there is a need to concentrate investment and activity in locations with existing momentum to maximise impact
3. Campbelltown City Centre has significant amenity, however, the parks, riparian corridors and open spaces are not connected or suitably embellished
4. Bow Bowling Creek is the single biggest amenity opportunity for the City Centre
5. Influencing travel behaviour by improving access to locations which are not serviceable by public or active transport will provide opportunity to unlock land currently constrained by car parking.

Aligned Approach

Campbelltown-Macarthur is identified as a Metropolitan Cluster Centre within the Western City District Plan. It is the key location for providing the metropolitan functions within the Macarthur Region including concentrations of higher order jobs, a wide range of goods and services; entertainment, leisure and recreational activities; as well as cultural and arts experiences.

In light of the importance of delivering on these outcomes, Campbelltown-Macarthur was identified as a Collaboration Area within the Western City District Plan. Collaboration Areas are a place-based process led by the Greater Sydney Commission to support growth and change, deliver improved outcomes and address complex issues that require cross-stakeholder solutions.

The Collaboration Area considered the same boundary as Reimagining Campbelltown City Centre, extending the original Campbelltown-Macarthur metropolitan centre area to Leumeah due to its regional role as the hub of sports and events and the home of Campbelltown Stadium.

The Campbelltown-Macarthur Place Strategy (Place Strategy) is the key output of the Campbelltown-Macarthur Collaboration Area, led by the Greater Sydney Commission. It has been prepared in concert with the Reimagining Campbelltown City Centre Master Plan.

While there is some overlap, the priorities and actions contained in the two documents have largely been delineated as follows:

- Shared: Vision, objectives and City Centre boundary
- Master Plan: actions to be led by Council
- Place Strategy: Actions requiring a high degree of multi-stakeholder collaboration to deliver.

The Place Strategy was co-developed through involvement with over 150 representatives from Council, NSW State and Australian Government Agencies. Importantly, both the Place Strategy and the Master Plan are not land-use planning instruments. Rather, they identify the complex, place-specific priorities and actions required to support Campbelltown City Centre realise a future that is sustainable, resilient and prosperous, and that fulfils its metropolitan role.

The Place Strategy was adopted by the Greater Sydney Commission on 24 March 2020.

Format of the Master Plan

The Master Plan is organised into four key sections:

1. **Introduction:** six strategic positioning insights set the context and a shared vision and objectives shared between the Master Plan and the Place Strategy
2. **Part 1: Place Framework:** this enduring component of the Master Plan sets the six growth pillars and 25 commitments which capture the community's values and will underpin every decision in the City Centre
3. **What we heard:** seven key themes emerged from community, industry, government agency and stakeholder engagement. (Further details are provided in the attached Summary of Engagement Outcomes Report)
4. **Part 2: Delivery Framework:** 10 City-Making Moves describe the key actions for the City Centre to unlock its potential in the first 10 to 20 years of the Master Plan
5. **Part 3: Implementation:** identifies priorities for the first five years with a focus on doing a few projects well, commencing programs and undertaking foundational investigations to unlock potential.

Collaborative Development

Reimagining Campbelltown City Centre, together with the Campbelltown-Macarthur Place Strategy, harnessed the passion, knowledge and aspirations of the Campbelltown community, industry, stakeholders and Government agencies to shape the future of our city.

The Master Plan was informed by the collaborative visioning development in Phase 1, then further developed through engagement including:

- three co-design labs with the community, business and non-government organisations
- 10 days of the Reimagining Hub at the Fishers Ghost Festival
- 154 stakeholders from across government agencies
- a presence at 17 community events
- face-to-face engagement with over 600 people
- 342 online survey responses
- 40 one-on-one interviews with people from across business and non-government organisations
- numerous workshops and briefing sessions with Councillors.

Details of the key themes emerging from the extensive engagement is provided in the attached Summary of Engagement Outcomes Report. These themes informed the identification of the 10 City Making Moves to transform the City Centre.

Industry engagement also informed the concurrent development of the LGA-wide Economic Development Strategy (EDS), which sets out the action plan to develop our economy. The EDS will be presented to Council in the near future.

Next Steps

The next steps for Reimagining Campbelltown City Centre Master Plan include:

- a public exhibition period commencing in April 2019 (subject to resolution) and running for a period no less than 28 days
- collating and responding to submissions
- providing feedback to Councillors via a Councillor Briefing at the completion of the exhibition period
- reporting back to Council (post exhibition) seeking adoption of the Master Plan.

Implementing the Masterplan

The Reimagining Campbelltown City Centre Master Plan is the consolidation and interpretation of robust data and vast community and stakeholder input. Today it represents our baseline; a platform for prioritisation of our efforts and advocacy for support. However, rather than it being a traditional, date-stamped static plan, the evidence-based approach to its development provides a dynamic and adaptable framework. The Reimagining Campbelltown City Centre Master Plan can continue to have relevance well into the future, by refreshing the data and assumptions within the model. It is unique in this regard.

The Masterplan acts as a guide and foundation for a prospectus for the development of its future resourcing strategy, which will leverage partnerships, and other external investment and funding opportunities as well as Councils financial and other assets.

Actions within the draft 2020/2021 Operational Plan have been informed by the priorities of the draft Reimagining Campbelltown City Centre Masterplan and provisions for the first year of implementation of the Masterplan have been included in the draft 2020/2021 budget and Operating Plan for Councils consideration.

Attachments

1. Reimagining Campbelltown City Centre Master Plan (distributed under separate cover)
2. Summary of Engagement Outcomes Report (distributed under separate cover)
3. Campbelltown-MacArthur Place Strategy (distributed under separate cover)

8.9 Campbelltown Cares - Community and Business COVID-19 Pandemic Support Package

Reporting Officer

Director City Growth
City Growth

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.2 - Ensure that service provision supports the community to achieve and meets their needs

Officer's Recommendation

1. That Council endorse and promote Campbelltown Cares – the Campbelltown Community and Business COVID-19 Pandemic Support Package.
2. That in response to the COVID-19 Pandemic, all shop inspection fees relating to health and food premises be classified within a category of hardship in accordance with Section 610E of the *Local Government Act 1993*.
3. That in response to the COVID-19 Pandemic, Council waive all payments of a fee for shop inspections relating to health and food premises as classified within the category of hardship and in accordance with Section 610E of the *Local Government Act 1993*.
4. That should there be no negative submissions during the 28-day public exhibition period, then the category shall be considered adopted immediately and remain applicable until at least 30 June 2020.
5. That the General Manager be delegated authority to extend the application period of the hardship category for shop inspections relating to health and food premises should the impact of COVID-19 persist beyond this period and for as long as appropriate.

Purpose

To seek Council's support for a COVID-19 Pandemic Support Package for Campbelltown's community and businesses.

History

- On 31 December 2019, the World Health Organisation (WHO) was informed of an outbreak of a respiratory disease in China affecting the city of Wuhan in Hubei province.

- On 30 January 2020, the WHO declared the COVID-19 outbreak to be a Public Health Emergency of International Concern, advising that countries needed to be prepared to contain and prevent the spread of COVID-19, and to comply with their legal obligation to share information with WHO.
- On 11 March 2020, the WHO further declared the COVID-19 outbreak as a pandemic, due to its impact on a global scale. COVID-19 is the first pandemic caused by a coronavirus.
- On 26 January 2020, New South Wales (NSW) recorded its first case of COVID-19. As of 4 April 2020, over 2580 cases have been recorded in NSW, with the Campbelltown LGA recording 29 cases (1.1 percent).

Report

In response to COVID-19, Council has diligently complied with advice and direction from the Federal and State Governments. Council has established a Crisis Management Team (CMT), initially predominately focussed on the safety of Council's employees and on business continuity. Through the assistance of a multidisciplinary team, the CMT subsequently extended its focus to community and business support, including relevant financial provisions.

This report provides a summary of community, business and financial support initiatives to date. Council's website provides a source of consistently up to date information regarding COVID-19 for the community and local businesses.

1. A resilience approach

Council's response to COVID-19 and the development of community, business and financial support initiatives is strategically underpinned by a resilience framework. The definition of resilience, as defined in the Resilient Sydney Strategy, aptly depicts the overall goal that Council is seeking to achieve:

The capacity of individuals, communities, institutions, businesses and systems to survive, adapt and thrive no matter what kind of chronic stresses and acute shocks they experience.

As a framework, resilience requires an integrated and collaborative approach that puts people at the centre of decision-making. Decisions are made by a group of multidisciplinary representatives that are able to:

- understand the relationship between their area of expertise and others (apply a systems view) and
- speak to the feelings and fears of our community and business (through experience and daily engagement).

Council's approach includes the expertise of a cross functional multidisciplinary team. To date, the group has developed more than 30 community, business and financial support initiatives. The implementation of these initiatives has been prioritised by balancing their likely resilience impact against their required implementation effort.

2. Communication – information and engagement

“Campbelltown Cares” has been established as a live portal on Councils website that connects the Campbelltown community and local businesses with consistently up to date information on COVID-19 and the support available.

In addition to Councils website, the latest information is also communicated through social media, eNewsletters and mainstream media.

The information available through Campbelltown Cares includes:

- How we are here for you
 - We are at your service - community and business support
 - Supporting those who support you
 - Building our resilience
- How you can help
 - Stay connected
 - Look after yourself and your family
- Taking care of business
 - How to support your local businesses
 - Business advice, resources and financial assistance packages
 - Business online learning and workshops
 - New opportunities for business during COVID-19
- Frequently Asked Questions
- Companies with employment opportunities
 - Job seeking opportunities

3. Adapting Council services

Council remains committed to providing its services wherever it remains safe and practical to do so. This has resulted in the adaptation of a number of services, with staff demonstrating creativity, innovation and tenacity.

There are a number of online programs currently being developed, such as social media competitions, online story time at our libraries, online learning, programming through Campbelltown Arts Centre, small business webinars and forums and community engagement activities through video and other digital media.

4. Community support initiatives

The following list identifies the community support initiatives to date. Additional initiatives are being developed and implemented on a consistent basis:

- redirection of funds from Council’s Connected Communities Grant Program to support COVID-19 initiatives
- a portal on Council’s website which consists of available grant opportunities, and provides grant writing assistance to interested applicants
- provision of resources and information to food security providers
- promotion of neighbourhood programs
- additional support to Meals on Wheels, including a large-scale industrial freezer to store meals

- provision of Council staff to support Meal on Wheels in maintaining essential services to vulnerable residents
- access to Council's halls for not-for-profit organisations to provide food hampers to vulnerable residents
- online events to engage young people
- online library programs
- liaison with Police with a focus on Community Safety/Crime Prevention
- provision of Campbelltown Care Packs including general groceries, hygiene and sanitary products to hoarding and squalor residents in partnership with local services
- programs that support mental health
- online sustainability and resilience resources
- dignity bags made by Council's Library sewing groups to female refugees and support agencies
- support to the Macarthur Homelessness Steering Committee to purchase phones with credit to assist homeless people connect with service providers
- partnerships with existing essential services, including pharmacies, supermarkets and/or cafes to provide a free drop-and-go charging service for homeless people
- a variety of artistic and cultural programs delivered to community, industry and schools locally
- provision of digital access, including Wi-Fi, charging points and equipment, to vulnerable residents and those applying for the Job Seeker program and engagement with businesses who may be able to assist with the implementation
- promotion of tourism locations in Macarthur for people to view at home.

The value of these initiatives to the community over the next six months is estimated to be \$429,000. This figure also includes staff time.

5. Business support initiatives

The following list identifies the local business support initiatives to date. Additional initiatives are being developed and implemented on a consistent basis:

- provision of Council staff to support local business who are unable to provide local delivery services
- promotion of cafes and restaurants which provide take away options
- promotion of relief packages provided by the Federal and State Government and other agencies
- partnership with the NSW Government's Small Business Commissioner for business advice and support
- assistance to businesses to transition towards online commerce through webinars and one-on-one assistance
- assistance to Western Sydney Investment Attraction Office (linked to City Deal), NSW Health and Advanced Manufacturing Growth Centre with sourcing local manufacturers who can assist with critical PPE shortages
- identification of companies suitable for the Campbelltown Hospital redevelopment works packages and encourage them to submit Expression of Interest.

The value of these initiatives to local businesses over the next six months is estimated to be \$448,000. This figure also includes staff time.

6. Financial support initiatives

The following list identifies the financial support initiatives to date. Additional initiatives are being developed and implemented on a consistent basis:

- hardship support to ratepayers including waiving interest and enabling a 12 month payment plan
- suspension of debt recovery
- expediting payment to suppliers ensuring that suppliers are paid in half the amount of time
- hardship support for Councils business tenants
- waiving of Food and Health Inspection Fees until 30 June (with a possible extension) to assist businesses remaining open – **NOTE:** requires the formal consideration of Council.

The value of these initiatives to the community over the next six months is estimated to be \$2.19m. This figure also includes staff time.

7. Construction initiatives

Planning is underway to bring forward the construction and renewal program for all of Council's closed facilities.

The value of these initiatives to the community over the next six months is estimated to be \$2.2m. This figure also includes staff time.

8. Next steps for a Resilience approach

Supported by the Crisis Management Team, the multidisciplinary Community and Business Support Team has commenced scenario planning for the next six months. Aligned with Council's resilience approach, it is likely to incorporate the themes of 'React, Adapt, Recover and Learn'. By forward planning with a community, business and financial lens, the team aims to develop a coordinated and strategic response to the many new and emerging needs that we may face as we move through, and recover from, the COVID-19 crisis.

9. Resolutions required by Council

Whilst most activities (proposed and in progress through the Campbelltown Cares - Community and Business COVID-19 Pandemic Support program) are able to proceed through existing delegations, enabling the waiving of fees for food and health inspections requires specific consideration and resolution of Council.

Council must determine a category of cases under section 610E of the *Local Government Act 1993*. It is proposed that Council identify all shop inspection fees to be within a category of hardship and proceed with waiving any fees raised until the end of this financial year, with a view of extending if required.

The financial impact of this recommendation is estimated to be below \$40,000 loss of revenue, though this is dependent on the amount of shop closures throughout the pandemic.

The *Local Government Act 1993* requires Council to give public notice and advertise the proposed changes to Fees and Charges for a period of no less than 28 days.

Conclusion

Council is committed to building the resilience of our community and businesses through these challenging times. In providing a community, business and financial support package to the value of \$5.3m, Council aims to ensure that we support community to transition from Reaction and enable Adaptation. Council's ongoing approach will shift into Recovery and Learning, in order to emerge with a greater grasp on supporting our community's resilience through a Resilient Campbelltown Strategy.

Attachments

Nil

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

Nil

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Possessory Title Claim - Part of Carpark at Ingleburn

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(b) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

discussion in relation to the personal hardship of a resident or ratepayer.

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